

350 Frank H. Ogawa Plaza, Suite 900
Oakland, CA 94612-2016

t. 510.452.9261
f. 510.452.9266

saveSFbay.org

July 13, 2007

John Muller, Chair
San Francisco Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear John:

Thank you for the opportunity to provide comments on the Administrative Draft of the Municipal Regional Urban Runoff Phase I NPDES Stormwater Permit (MRP). As we have underscored in our presentations to the Board and in conversations with the staff over the last year, the MRP provides an important opportunity to make significant and measurable improvements in the water quality of San Francisco Bay, especially through specific and enforceable new requirements to reduce trash and marine debris.

Save The Bay represents 10,000 members throughout the Bay Area who have a direct stake in improving San Francisco Bay water quality. Save The Bay's **Keep It Clean!** campaign has provided the region's residents with tools to reduce runoff pollution from their homes, cars and businesses, and we partner with municipal agencies on efforts to reduce Bay pollution.

Bay trash is pervasive, visible and comprehensible to Bay Area residents of all ages, evoking broad public support for significant action to reduce its impacts. We have previously provided the Board with a technical briefing paper on Bay trash, extensive photographic evidence of the problem, and some information on promising solutions including infrastructure and policy changes. Thousands of concerned citizens have already signed petitions and directly asked the Board for strong trash reduction provisions in this MRP.

The Basin Plan's Discharge Prohibition and Receiving Water Limitations on trash provide a strong basis for the Board to pursue the achievable objective of a trash-free Bay and trash-free creeks in the next decade, and to mandate deep reductions toward that objective through this MRP.

We believe that the MRP would benefit from a different approach to trash management than that in the Administrative Draft, which we have shared with the staff. We offer the following written comments that provide general direction and guidelines, as well as some specific changes to the draft trash reduction provisions in section C.10 of the permit:



Measurable reductions in trash discharged to receiving waters

The basis of any trash provisions in the MRP must be requirements to achieve measurable reductions in trash discharged to receiving waters. We support structuring the MRP to require specific numbers of trash management measures for jurisdictions, both “hard” measures such as installing trash capture devices in storm drain systems, and “soft” measures such as increased cleanups, education, or outreach to businesses. “Hard” measures in particular provide readily quantifiable reductions in trash discharge to receiving waters, although in some areas “soft” measures may be more feasible.

Prioritize effective trash management actions, not assessments

The MRP should place more emphasis than the Administrative Draft does on management actions that reduce trash in creeks and storm drains that flow to the Bay, and less on preliminary assessments of urban tributaries to document locations and levels of trash. The Administrative Draft timeline (one year to select locations, three years to conduct biannual trash counts, management measures in year 4 of the 5-year permit) inappropriately emphasizes “studying” the problem. Trash hot spots can be determined, with proper criteria, in days or months and without a formal, full RTA assessment process. The bulk of the permit term should be devoted to trash reduction action, with assessments to determine how well those actions are working and how to make additional progress. As one example, the MRP should describe “trash management sites” rather than “trash assessment sites.”

Trash management site selection criteria

Trash management site selection must contain strong criteria that reinforce the goal of focusing the most efforts on the worst chronic hot spots. Criteria for site selection should include high trash-generating land uses with demonstrable trash problems, proximity to water bodies or storm drain inlets, high acreage drained to maximize effectiveness of vortex separators or other structural controls. Examples include schools, parks, shopping malls and similar businesses, highways, and dumping sites. Local creek groups should be consulted for input to ensure that the site selection process finds the worst trash hot spots.

Enforceable trash provisions

The MRP must ensure that its trash provisions are enforceable: provisions should be worded clearly so there is no doubt about what constitutes compliance. Non-compliance, unreasonable delays, or lack of efforts to comply should meet with enforcement action by the Board.

Require installation of vortex separators at pump stations on the Bay shoreline

The MRP should require installation of several vortex separators at key storm drain outfall pump stations along the Bay shoreline to maximize catchment area treated. Vortex separators at pump stations would provide maximum effectiveness and should be specifically included in the permit. Trash levels are known to increase at the bottom

of the watershed, and vortex separators at key infrastructure points where flow is already concentrated can effectively remove 90-100% of trash from flow.

Trash-free creeks and Bay objective with 10-year compliance schedule

The MRP should include an explicit statement in the Trash Reduction section underscoring the ultimate objective of a trash-free Bay and creeks within 10 years, based on existing the Basin Plan Discharge Prohibition and Receiving Water Limitations on trash. Reducing levels of trash in receiving waters to below nuisance levels will protect wildlife and water quality from the devastating impacts of trash.

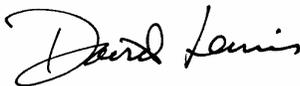
Publicly accessible data

Data gathered about trash diverted from creeks or the Bay will provide valuable information about the state of trash pollution in our region, and can inform future actions. Any trash reduction data required by the MRP should include amounts of trash removed at cleanups, through trash separating devices, and from other methods; all should be reported in consistent units of measure and made publicly accessible on-line.

This MRP should reflect a new emphasis by the Board on making significant reductions in trash and marine debris. We have heard no compelling case for anything less, and in fact the evidence of need for urgent action to reduce trash continues to mount. We are encouraged by the staff's work to date and their receptivity to our suggestions for improvements.

Thank you for considering these comments. We look forward to the Tentative Order and continuing to work with you to reduce trash and its impacts in San Francisco Bay.

Sincerely,



David Lewis
Executive Director