

Public Comment  
LA River Trash - TMDL  
Deadline: 3/5/08 by 12 p.m.

# The City of Bellflower

*Families. Businesses. Futures.*

16600 Civic Center Drive, Bellflower, CA 90706

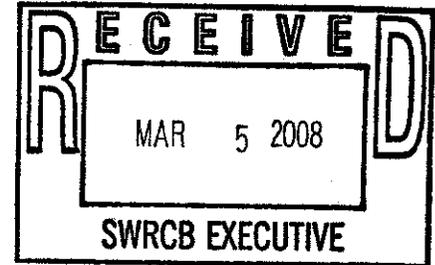
Tel 562.804.1424 Fax 562.925.8660 www.bellflower.org



March 5, 2008

**Via Facsimile to 916-341-5620**

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814



**Re: Comment Letter – Los Angeles River Trash TMDL**

Dear Ms. Townsend and Members of the Board:

I am writing on behalf of the City of Bellflower to provide comments regarding the Los Angeles River Trash TMDL. Our city is not in the Los Angeles River Watershed, but we continue to be concerned about this TMDL because of the technical and procedural flaws of a permit that could set precedents for other Trash TMDLs in our region, across California, and elsewhere in the country. We appreciate the opportunity to provide these comments.

One significant concern that we have with the Trash TMDL adopted by the Los Angeles Regional Water Quality Control Board (L.A. Regional Board) is that it continues to include a numeric target of zero trash in the water. Zero is an impossible target to achieve, as there are many sources of trash that municipalities do not and cannot reasonably be expected to control. Interestingly, a statement in Attachment A to Resolution No. 2007-012 appears to indicate that the L.A. Regional Board does recognize the impossibility of achieving a zero target: "Nonpoint sources, i.e., direct deposition of trash by people or wind into the water body, is a de minimus source of trash loading to the LA River." Also, to our knowledge, the L.A. Regional Board, although asserting that the loading capacity is zero, has neither performed a thorough source analysis nor an assimilative capacity study.

A second major concern that we have with the TMDL as adopted is that it appears to punish municipalities that exercised their rights to challenge a TMDL that they thought to be flawed. The adopted TMDL requires a 40% reduction in one year. This requirement appears to be based on a presumption that cities should have implemented the TMDL that was adopted in 2001, even though that TMDL was set aside per L.A. Regional Board Resolution No. 06-013 and State Water Resources Control Board Resolution No. 2006-0051.

In the months preceding the L.A. Regional Board's re-adoption of the Trash TMDL, cities in the Los Angeles River Watershed developed a Catch Basin Prioritization and Protection Plan (CBPPP) as an alternative to the Trash TMDL. We understand that, although representatives from those cities met multiple times with L.A. Regional Board staff and made revisions based on their input, the CBPPP alternative to the Trash TMDL was ignored and not included in the Substitute Environmental Document (SED) prepared for the TMDL adoption process.

> Scott A. Larsen  
Mayor

Dorothy R. King  
Mayor Pro Tem

Randy Bomgaars  
Council Member

Raymond Dunton  
Council Member

Ray T. Smith  
Council Member

**Ms. Townsend and Members of the Board**  
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Our City supports the CBPPP as a sound, practicable method for cities to begin to tackle the tough problem of trash. Cities would complete litter surveys and submit preliminary plans to the L.A. Regional Board within 180 days of final TMDL approval by the State Water Board and USEPA. The cities would then work with L.A. Regional Board staff and other stakeholders to develop a protocol for estimating trash removed from catch basins to improve accuracy of estimates.

According to the way the CBPPP is structured, fifteen percent (15%) of catch basins with the highest trash generation rates, commencing with commercial areas, would be protected within one year following L.A. Regional Board approval of the CBPPP. Thirty percent (30%) of catch basins with the highest trash generation rates would be protected within three years following approval of the CBPPP. The expected results from implementation of the CBPPP include:

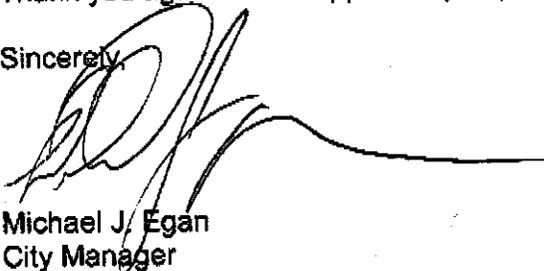
- An estimated 50% reduction in water-borne trash by protecting 15% of a jurisdiction's catch basins with the highest trash generation rates.
- An estimated 65-70% reduction in water-borne trash by protecting 30% of a jurisdiction's catch basins with the highest trash generation rates.

In light of these anticipated results, we view the CBPPP as a focused, cost-effective way to address trash and strongly support its inclusion as an alternative in the Substitute Environmental Document for the Los Angeles River Watershed Trash TMDL.

The City of Bellflower supports the request of cities in the Los Angeles River Watershed that they be granted the opportunity to work with the L.A. Regional Board to create a workable Trash TMDL. We request that the State Water Board remand the draft TMDL back to the L.A. Regional Water Board with directions to work with cities on the CBPPP and to re-notice the Draft Substitute Environmental Document (SED) to solve the problem we understand was created by substantial last-minute changes in the July 27 Revised Draft SED.

Thank you again for the opportunity to provide these comments.

Sincerely,



Michael J. Egan  
City Manager

cc: Coalition for Practical Regulation