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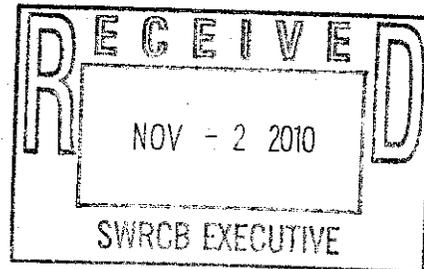
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saveSFbay.org

CEQA Scoping Mtgs (10/7 & 14/10)
Policy for Controlling Trash
Deadline: 11/3/10 by 12 noon

November 2, 2010

State Water Resources Control Board
Division of Water Quality
1001 I Street
Sacramento, CA 95814



RE: Proposed Statewide Policy for Controlling Trash in Waters of the State

Dear members of the State Water Board:

Thank you for the opportunity to provide comments on the Proposed Statewide Policy for Trash Control in Waters of the State. Save The Bay represents 25,000 members throughout the San Francisco Bay Area and California who are concerned about the impacts of trash on the Bay. Save The Bay and our supporters spent several years advocating for strong trash limits in Bay Area waterways, which were finally incorporated into the Municipal Regional Stormwater Permit (MRP) in October 2009. Save The Bay's Clean Bay Project provides Bay Area cities with the tools and support necessary to pass ordinances that will prevent plastic pollution in our waterways and protect habitats, wildlife, and recreational and aesthetic value.

Save The Bay estimates that one million plastic bags enter the Bay each year. In the United States, we generate 60% more trash than we did in the 1960s, and more of it is plastic, which never biodegrades.¹ Marine debris in some ocean areas grows by an order of magnitude in just two to three years.² Our waterways are also becoming clogged with polystyrene foam, which becomes ingested by wildlife and leaches toxic chemicals into the water. These litter problems are not going unnoticed – per the MRP, Bay Area cities recently identified 225 creek and shoreline locations where trash has reached toxic levels, and are now faced with the task of cleaning them up.

Establishing a strong and enforceable statewide policy is necessary to protect the beneficial uses of the Bay and our waterways, which depend heavily on the health of our wetlands. Wetlands are vital not only to our native and seasonal wildlife, but also offer a plethora of recreational opportunities and contribute to the safety of Bay Area residents. Wetlands act as a buffer against sea level rise, an issue at the forefront of many cities' concern.

¹ National Energy Education Development Project. *Museum of Solid Waste*. 2006.

² Ogi, Haruo and Fukumoto, Yuri. A Sorting Method for Small Plastic Debris Floating on the Sea Surface and Stranded on Sandy Beaches. *Bulletin of the Faculty of Fisheries, Hokkaido University* 51(2) 2000: p71-93, as referenced in: Gordon, Miriam. *Eliminating Land-based Discharges of Marine Debris in California: A Plan of Action from the Plastic Debris Project*. June 2006: p2.

SAVE THE BAY

Save The Bay strongly encourages the Water Board to include the following elements in the statewide trash policy:

The state must adopt a “zero trash” water quality objective statewide. The Los Angeles River Trash TMDL requires “zero trash” discharge by 2016 – a goal which Los Angeles reports it will achieve ahead of schedule. Bay Area cities are already mandated to reduce their stormwater trash loads by 100 percent by 2022, and are currently taking steps to achieve a mandated 40 percent reduction by 2014. Plastic litter is particularly toxic and pervasive in the San Francisco Bay; plastic bags, polystyrene foam, and other plastic debris are consistently among the most commonly collected litter items on California Coastal Cleanup Day. Plastic litter is preventable and should not be tolerated at any level in our waterways.

Institutional controls, such as bans or fees on commonly littered items, should be specifically listed and encouraged in the statewide trash policy. Source reduction and control is the most effective mechanism for preventing plastic debris from littering our creeks and shorelines. In Section C.10.c of the MRP, the San Francisco Bay Regional Water Quality Board cites trash reduction ordinances as a best management practice that should be included in permittees’ Long Term Trash Load Reduction Plans. The California Ocean Protection Council’s Implementation Strategy for reducing marine debris states that passing bans on commonly littered items is one of their key reduction strategies.³ Transitioning people from using single-use plastics to reusable, recyclable, and compostable alternatives is a major part of the solution. A street litter study completed by the City of San Francisco showed that in the two years following a city ban on polystyrene foam food ware, litter from these products was reduced by over 30 percent.^{4,5} Deterring the use of single-use plastics via a ban or fee and encouraging the use of sustainable alternatives should be explicitly listed and encouraged in the statewide trash policy.

Stormwater permits should require the installment of full trash capture devices where feasible. The City of San Jose has already installed 80 full trash capture devices throughout the city and has plans to install 100 more in the near future. The City of Oakland has installed four full trash capture devices to prevent trash from entering Lake Merritt, which is regulated by a trash TMDL. The cities of Lafayette, Dublin, and Sunnyvale have installed several devices and many other Bay Area cities plan to install devices soon to assist with compliance with the MRP. A statewide policy requiring full trash capture devices must ensure that trash is eliminated from *all* waterways entering the Bay and other waters of the state.

Data on trash levels should be collected regularly from both partial and full trash capture devices. Data should be centrally located and publicly available. Regular collection of trash data – including the types and volume of material collected – is crucial

³ California Ocean Protection Council. An Implementation Strategy for the California Ocean Protection Council Resolution to Reduce and Prevent Ocean Litter. Nov. 20, 2008.

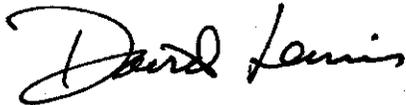
⁴ HDR, BVA, and MGM Management. The City of San Francisco Streets Litter Audit 2007. May 18, 2007.

⁵ HDR, BVA, and MGM Management. The City of San Francisco Streets Litter Audit 2008. July 4, 2008.

to helping cities understand where their trash is coming from, cost effective management strategies, and the level of source control cities should engage implement in specific locations. The monitoring and assessment results should be in a standardized format (Excel, CSV, etc.) so that they can be accessed by agencies, organizations, and the public.

Thank you for considering these comments. We look forward to reviewing and providing feedback on the complete policy document when it becomes available.

Sincerely,

A handwritten signature in cursive script that reads "David Lewis". The signature is written in black ink and is positioned above the typed name and title.

David Lewis
Executive Director