



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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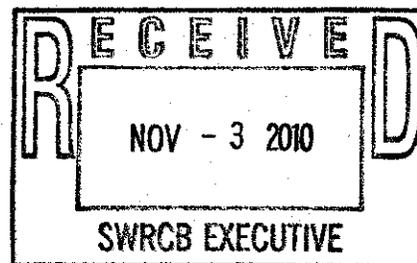
CEQA Scoping Mtgs (10/7 & 14/10)  
Policy for Controlling Trash  
Deadline: 11/3/10 by 12 noon

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE: WM-9

November 3, 2010

Ms. Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100



Dear Ms. Townsend:

### **COMMENT LETTER – POLICY FOR CONTROLLING TRASH IN WATERS OF THE STATE**

Thank you for the opportunity to comment on the September 2010 Informational Document associated with the public scoping meeting for the proposed Statewide Policy for Trash Control in Waters of the State (Policy). We appreciate the effort being made by State Water Resources Control Board (State Board) staff to solicit early stakeholder input. The following comments are being submitted on behalf of the County of Los Angeles (County) and Los Angeles County Flood Control District (LACFCD). We have also reviewed and are in full support of comments being submitted by the California Association of Stormwater Quality Agencies.

- 1. The Policy should be based on but not define the Maximum Extent Practicable (MEP) Principle. The Policy should also incentivize true source control.**

The County and LACFCD support a Statewide trash policy statement based on the MEP standard. However, as an iterative standard, MEP is intended to be flexible and, therefore, it would not be appropriate for a Statewide policy to define MEP. It would be more appropriate for the Statewide policy to provide guidance to the regional boards in this regard, such as directing the regional boards to consider land use and the rate of trash generation. The Total Maximum Daily Load (TMDL) for trash in the Los Angeles River Watershed effectively expressed MEP as performance standards for full capture, partial capture, or institutional

controls without considering these factors. While this approach is workable, as it provides dischargers with a clear and attainable path to regulatory compliance and has resulted in noticeable trash reduction in receiving waters, it contains an inherent bias for structural solutions that are not necessarily the most sustainable or cost-effective in the long run. For example, the Policy could direct the regional boards to incentivize source reduction practices in TMDLs. Dischargers could receive compliance credit by pursuing legislative measures such as a ban on Styrofoam cups or plastic bags. True source control also should be a collaborative effort between local and State agencies along with industry.

**2. Preproduction plastic pellets should be regulated through industrial stormwater permits not TMDLs.**

We support the regulation of preproduction plastic pellets through industrial stormwater permits. The industrial permits should contain specific provisions requiring stringent source control and monitoring and reporting on the part of manufacturers, transporters, and users of preproduction plastic pellets. This can be achieved through the proposed Statewide trash policy or a separate policy. It is inappropriate to impose on stormwater agencies monitoring and inspection responsibilities related to preproduction plastic pellets as is the case in the Santa Monica Bay Nearshore Debris TMDL.

**3. The Policy should standardize existing narrative trash water-quality objectives.**

The proposed Policy should standardize existing narrative objectives for trash. "Zero trash" should be set only as a goal and not as a numeric water-quality objective, for a "zero trash" water-quality objective surpasses the reasonable protection standard pursuant to California Water Code, Section 13241, which acknowledges that "it may be possible for the quality of water to be changed to some degree without unreasonably affecting beneficial uses."

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Once again we appreciate the opportunity to provide input at this early stage of the proposed Policy. We look forward to your consideration of these comments. If you have any questions, please contact me at (626) 458-4300 or ghildeb@dpw.lacounty.gov or your staff may contact Ms. Rossana D'Antonio at (626) 458-4325 or rdanton@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER  
Director of Public Works



GARY HILDEBRAND  
Assistant Deputy Director  
Watershed Management Division

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