Comment Summary and Responses
Reconsideration of the Santa Clara River Lakes Trash TMDL,
Legg Lake Trash TMDL, and the Ventura River Estuary Trash TMDL
Comment Due Date: May 23, 2019

Date Received	Author
5/22/19	1. City of Ventura, County of Ventura, Ventura County Watershed Protection District (VCWPD), California State Parks, California Department of Food and Agriculture (Ventura County Fairgrounds), California Department of Transportation (Caltrans), and members of the Ventura County Agricultural Irrigated Lands Group (VCAILG) represented by Farm Bureau of Ventura County
5/23/19	2. County of Los Angeles

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1.1	City of Ventura, County of Ventura, VCWPD, California State Parks, California Department of Food and Agriculture, Caltrans, Farm Bureau of Ventura County	Based on experience gained from VRE Trash TMDL implementation over the past ten years, the Responsible Parties would like to bring to your attention our concern regarding proposed revisions to the TMDL numeric target, specifically removing narrative portion of the definition of Zero Trash for the Numeric Target Element of Table 7-25.1. Not having the narrative definition of Zero Trash in the Numeric Target Element could potentially lead to compliance ambiguity as it may be inferred that zero trash must always be attained, which is nearly impossible to achieve. The California State Water Resources Control Board (State Water Board) recognized this fact in the Statewide Trash Amendments by only including narrative water quality objectives. ISWEBE Plan: "Trash shall not be present in	The Los Angeles Water Board appreciates the coordinated efforts of the responsible entities in implementing the Ventura River Estuary Trash TMDL. The proposed Basin Plan amendment to revise the Ventura River Estuary Trash TMDL moves the definition of zero trash from the numeric target section to the load allocation (LA) and waste load allocation (WLA) sections. While the numeric target of zero trash is interpreted from the narrative water quality objectives, compliance is determined by meeting the WLAs and LAs. The WLA section now states that WLAs are "zero trash discharged from MS4s into the Ventura River Estuary." The LA section now

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		inland surface waters, enclosed bays, estuaries, and along shorelines or adjacent areas in amounts that adversely affect beneficial uses or cause nuisance." Ocean Plan: "Trash shall not accumulate in ocean waters, along shorelines or adjacent areas in amounts that adversely affect beneficial uses or cause nuisance." While TMDLs must include a numeric target, providing a definition of the numeric target via narrative language removes the compliance ambiguity and further aligns the Trash TMDL with the Statewide Trash Amendments. **Recommendation:** To be consistent with the Statewide Trash Amendments, the Responsible Parties recommend not eliminating the narrative definitions of zero trash from the Numeric Target Element of Table 7-24.1 and recommend the following language for the Numeric Target Element: *Zero trash in the Ventura River Estuary~~, shoreline and in the channel~~. Zero is defined as (1) for nonpoint sources, no*	defines zero trash as "no trash immediately following each assessment and collection event consistent with an established Minimum Frequency of Assessment and Collection Program (MFAC Program) where the MFAC Program is established at an interval that prevents trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections." The Los Angeles Water Board agrees that zero trash should be defined in the TMDL to prevent any ambiguity in compliance. Since compliance is based on responsible entities meeting WLAs and LAs, the definition of zero trash has been moved to these sections of the Basin Plan amendment.

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		trash immediately following each assessment and collection event consistent with an established Minimum Frequency of Assessment and Collection Program (MFAC Program). The MFAC Program is established at an interval that prevents trash from accumulating in deleterious amounts that cause nuisance or adversely affect beneficial uses between collections, and (2) for point sources, zero trash discharged into the Ventura River Estuary~~, shoreline and channel~~.	
2.1	County of Los Angeles	The County has dedicated enormous resources to reduce the amount of trash in our lakes, streams, rivers, and the ocean. Examples of these programs include: a. In 2008, the County embarked on a large-scale project to retrofit its catch basins with full capture systems. Moreover, where feasible, the County has been installing partial capture systems in conjunction with full capture systems, which helps improve performance and prolong the operating life of the full capture systems. To date, approximately $14 million has been spent on this effort.	The Los Angeles Water Board appreciates the extensive efforts put forth by the County of Los Angeles to protect the beneficial uses of our region's waterbodies, including Lake Elizabeth, Munz Lake and Lake Hughes, from impairments caused by trash.

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		b. The County has embarked on other trash control efforts. In 2007 the County began replacing its open-market trash collection system with a robust "franchise system". Under a franchise system, trash haulers are required to enter into agreements with the County to provide improved trash collection services, including automated containers with lids, litter cleanup activities, and community cleanup events. The County also implemented a street sweeping program above and beyond the requirements of the Municipal Separate Storm Sewer System (MS4) Permit. Implementation of these collective efforts ensures that its streets are consistently clean.	
2.2	County of Los Angeles	**1. The Santa Clara River Lakes Trash TMDL should be consistent with the Los Angeles River (LAR) and Ballona Creek (BC) Trash TMDLs** In 2015, the Los Angeles Water Board revised the LAR and BC Trash TMDLs to account for situations where it is technically infeasible install full capture devices in 100 percent of the catch basins. Similar revisions are pending to the Santa Monica Bay Debris (SMB) and Machado Lake (ML) Trash TMDLs in 2019. The Santa Clara River Trash TMDL should include the same	The Santa Clara River Lakes Trash TMDL has been revised in response to this comment to include the same language as the Santa Monica Bay Debris TMDL and the Machado Lake Trash TMDL, adopted by the Board in March 2019, as well as the Legg Lake Trash TMDL, which was publicly noticed at the same time as the Santa Clara River Lakes Trash TMDL. The language incorporates by reference the alternative compliance approach of the Los Angeles River Trash TMDL that is described in this comment. In addition, the Ventura River Estuary Trash TMDL has been revised to

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		language as the LAR, BC, SMB, and ML Trash TMDLs. The permittees named in the LAR Trash TMDL were concerned they could not meet the final LAR Trash TMDL requirements to install full capture systems (FCS) in 100 percent of the conveyances discharging to the LAR or show a 100 percent reduction from the baseline waste load allocation (WLA) through monitoring. This was due to certain portions of the permittees storm drain systems being incapable of having FCS installed in them and due to the variability of trash monitoring data. As such, the Regional Board amended the LAR Trash TMDL (Resolution No. 15-006) on June 11, 2015, which was subsequently approved by the State Water Resources Control Board on November 17, 2015, and the United States Environmental Protection Agency (USEPA) on June 30, 2016. The amendment provides five alternative approaches for permittees subject to the LAR Trash TMDL to demonstrate compliance with the final point source WLA of zero trash. These approaches are: • 100 percent of all conveyances	include this same alternative compliance language for consistency.

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		discharging to the LAR are retrofitted with trash FCS. • 98 percent of all catch basins within the agency's jurisdictional land area in the watershed are retrofitted with FCSs[1]. This approach requires a report on the technical infeasibility for the remaining catch basins and a report documenting partial capture devices and institutional control effectiveness. • 99 percent or greater reduction of the baseline load attained through a combination of FCS, partial capture devices, and institutional controls, calculated using a mass balance approach based on a trash daily generation rate (DGR) study. This approach requires all FCSs, partial capture devices, and institutional controls to be properly sized, operated, and maintained. Continued DGR studies are also required for compliance reassessment. • 97 percent or greater reduction of the baseline load for two or more consecutive	

[1] 98 percent of all catch basins within the agency's jurisdictional land area in the watershed are retrofitted with FCS or, alternatively, 98 percent of the jurisdiction's drainage area is addressed by FCS and at least 97 percent of the catch basins (or, alternatively, drainage are) within the agency's jurisdiction in the subwatershed (the smaller of the Hydraulic Unit Code-12 equivalent area or tributary subwatershed) are retrofitted with FCS.

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		years, attained through a combination of FCS, partial capture devices, and institutional controls, and calculated using a mass balance approach based on a trash DGR study. This approach requires an evaluation of institutional control effectiveness and any potential enhancements, and a demonstration that opportunities to implement partial capture devices have been fully exploited. Continued DGR studies are also required for compliance reassessment. • A scientifically based alternative as approved by the Regional Board. Although the County has retrofitted 100 percent of their identified catch basins that discharge to Lake Elizabeth within the unincorporated area of the Santa Clara River Lakes subwatershed with full capture systems, some areas may be identified where installation of full capture devices is infeasible due to engineering constraints. As a result, these compliance options should be included in the revised Santa Clara River Lakes Trash TMDL.	
2.3		**2. The Staff Report inaccurately illustrates**	The catch basins subject to the Santa Clara

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		catch basins not associated with the Santa Clara River Lakes Trash TMDL Figure 1 on page 13 of the Staff Report includes catch basins that do not discharge to Lake Elizabeth. These catch basins are located on Johnson Road at Leadhill Drive and have not been retrofitted with full capture systems. According to the current TMDL language, compliance with final WLAs is achieved by installing full capture systems on conveyances that discharge to Lake Elizabeth and Lake Hughes. Due to the limited connectivity to lakes, the County respectfully requests the removal and replacement of Figure 1 from the Staff Report, with the figure presented in Enclosure B.	River Lakes Trash TMDL are correctly described in the Staff Report. Although the County of Los Angeles has five catch basins in the Santa Clara River Lakes subwatershed that do not discharge *directly* to Lake Elizabeth or Lake Hughes, these upstream catch basins in the Santa Clara River Lakes subwatershed ultimately discharge to the Santa Clara River Lakes and are subject to the TMDL. The Los Angeles Water Board realizes that the County of Los Angeles has installed full capture devices on all catch basins that *directly* discharge to the Santa Clara River Lakes. Based on recent information provided by the County, it is clear that the County is addressing the remaining five upstream catch basins with institutional controls. Therefore, the County of Los Angeles is addressing 100% of their catch basins in the Santa Clara River Lakes subwatershed using a combination of full capture devices and institutional controls, subject to documentation through the calculation of a daily trash generation rate and estimation of the annual trash discharge. The

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			staff report has been revised to reflect this new information. The staff report has also been revised to correct the number of catch basins that discharge directly to the lake from five to six, for a total of 11 catch basins in the subwatershed.