

Responsiveness Summary – Trash TMDL for Ventura River Estuary
Comment Due Date: May 4, 2007

3-1 City of Ventura
3-2 County of Ventura, Public Works Agency
3-3 Heal the Bay
3-4 United States Environmental Protection Agency (USEPA)
3-5 California Department of Transportation (Caltrans) (Received 5/7 via email)
3-6 California State Department of Parks and Recreation
3-7 Ventura County Watershed Protection District (received 5/7 via email)

No.	Author	Date	Comment	Response
3-1.1	City of Ventura	May 3	A critical issue needing to be addressed in this TMDL is the difference between dry and wet weather sources of trash. Dry weather trash is primarily from localized sources, either directly deposited into the estuary by persons or blown from adjacent roads, bike paths or facilities. Wet weather sources can come from anywhere within the Ventura River Watershed's 226 square miles. For wet weather sources, the City of Ventura occupies only 1% of the watershed. On a population basis, the City of Ventura contains just 14,000 of the 42,000 watershed's residents. As such, the City of Ventura should not be the agency primarily responsible for wet weather sources of trash.	Responsible jurisdictions will proposed the proper strategies in respond to the wet weather conditions for Executive Officer approval. Regional Board may reconsider the Trash TMDL to include wet weather languages after responsible jurisdictions finish the study for wet weather conditions, or after sufficient data are collected after implementing the Trash Monitoring and Reporting Plan for two years.
3-1.2	City of Ventura	May 3	The baseline allocations included in the TMDL for all entities except Caltrans are based on the amount of trash collected in a full capture device in the City of Calabasas. The Draft staff report states that the City of Calabasas data are appropriate for the Ventura River because the land use characteristics are similar in that only a small portion of the watershed is urban, and the rest is open space. However, the watershed characteristics of the Ventura River Estuary are significantly different from the City of Calabasas study. Point sources surrounding the Ventura River Estuary are made up of a variety of types of land uses, including	Staff finds that there are few datasets available on which to base a reference approach. Staff continues to find that the City of Calabasas data are the most relevant data for the Ventura River Estuary. However, staff agrees that Ventura River Estuary is significantly different from City of Calabasas.

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			<p>a small portion of the City of Ventura (less than 10% of the City drains to the Estuary), the Ventura County Fair grounds, and an RV Park. Each of the land uses surrounding the Ventura River Estuary has a unique potential for trash generation that is not represented by the City of Calabasas study. Additionally, as stated in the Draft Staff Report nonpoint sources (including the transient population that lives in the riparian area of the Estuary) are considered to be the most significant source of trash to the Ventura River Estuary.</p>	
3-1.3	City of Ventura	May 3	<p>To address this issue, the stakeholders request that the baseline waste load and load allocations be removed from the Draft Staff Report and Tentative BPA and a requirement to determine an appropriate trash baseline figure over the two-year period following the effective date of the TMDL be included instead. As part of the required Trash Monitoring and Reporting Plan, the stakeholders should be required to submit a plan to develop a trash baseline. The results of the study should be submitted to the Regional Board along with a recommended trash baseline value for incorporation into the TMDL.</p> <p>Precedent for including a study to determine a baseline when sufficient data are not available to establish a baseline as part of the TMDL exists in the Calleguas Creek Siltation TMDL. In that TMDL, the allocations are a reduction from a baseline that is determined through a required study in the TMDL. A similar approach is requested for the Ventura River Estuary Trash TMDL.</p>	Staff agrees. Revised language is included in the BPA.
3-1.4	City of Ventura	May 3	<p>The draft TMDL authorizes two compliance options for point sources and one compliance option for non-point sources. Point sources can either progressively install full capture systems on storm drains or implement MFAC programs and non-point sources may only implement MFAC programs. The included</p>	Staff disagrees with the comment. The program of MFAC allows responsible jurisdictions to propose feasible implementation strategies with consideration given to the existing

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			compliance options both represent significant burdens to the stakeholders, do not account for existing programs, and do not allow the responsible parties the option to develop cost effective implementation strategies to meet the TMDL allocations.	practices or the cost effectiveness, for Executive Officer approval.
3-1.5	City of Ventura	May 3	The language in the Draft Staff Report and Tentative BPA is unclear as to the extent of application of the MFAC program (i.e. just the Estuary or into the watershed 7 miles). The application of the MFAC program should be clearly limited to the area that receives salt-water influence from the Pacific Ocean, which occurs up to the U.S. 101 Freeway Bridge.	Responsible jurisdiction misunderstands the differences between applying MFAC to Ventura River Estuary and to point sources. The section of 7 miles upstream of Ventura River is assumed to accumulate trash and discharge it to Ventura River Estuary as a point source, which should not be confused with the defined boundary of Ventura River Estuary. The Basin Plan has included Ventura River Estuary as a part of Section 1 of Ventura River Watershed by considering the hydraulic interaction.
3-1.6	City of Ventura	May 3	Many areas of the Ventura River Estuary are inaccessible or unsafe to access. The Underline/Strikeout Draft Staff Report and Tentative BPA proposes language to clarify that trash does not have to be collected in areas posing a hazard during the baseline determination period and during MFAC implementation on page 20. Specifically, responsible jurisdictions should not have to collect trash from dense thickets of Arundo Donax and Willows and where water depth may preclude a safe crossing. This includes land islands created by the branches of the river delta where river is more than 18 inches deep at the time of trash collection.	Staff agrees that trash collection should not pose safety hazards to personnel. Language revising the BPA to indicate that trash collection should not pose safety hazards is included. Specific parameters shall be included in the workplan.
3-1.7	City of Ventura	May 3	The responsible parties may have limited jurisdiction or authority to access the Ventura River Estuary. Additionally, Cities may	Staff agrees and has revised the tentative BPA accordingly.

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			not have the local authority to spend resources to clean up areas outside of the City limits. We suggest that language acknowledging these limitations and ensuring that compliance is achieved if the MFAC program is implemented in the areas for which the responsible parties have authority. Suggested changes are included on page 20.	
3-1.8	City of Ventura	May 3	<p>While we recognize that the estuary will benefit from trash cleanup events, we believe such frequent cleanup is unwarranted. Instead, the stakeholders propose that minimum trash collection frequency for the MFAC program implementation be as follows:</p> <ul style="list-style-type: none"> a. Once per month for the sandy beach area between the estuary and the ocean. b. Within one week after each storm event with one inch of rain or greater at the Front Street storm drain, which discharges under the eastern levee, 50 feet north of the railroad tracks. c. Quarterly for other areas of the estuary. 	<p>Staff does not agree that the frequency of once per month on the sandy beach and quarterly on the rest of the estuary are effective. Responsible jurisdictions should also include high visitation within the MFAC program in conjunction with BMPs.</p>
3-1.9	City of Ventura	May 3	<p>In addition, responsible jurisdictions should be authorized to modify the above schedule based upon future assessments of the effectiveness of MFAC programs and the trash problem itself. Suggested language has been added to the Underline/Strikeout Draft Staff Report, to clarify that a jurisdictions may resubmit the Trash Monitoring and Reporting Plan to (1) request a change to the proposed trash collection frequency and strategy, (2) implement strategies with emphasis on problem areas, (3) change to the trash metric(s), and (4) other areas upon request, including trash reduction strategies after major rain events. This language is intended to authorize jurisdictions to focus trash cleanup efforts on problem areas after careful program analysis.</p>	<p>Staff agrees. The BPA includes a provision that the Executive Officer can approve revisions of the trash collection frequency.</p>
3-1.10	City of Ventura	May 3	<p>The stakeholders would like to request that if a MFAC program is the chosen implementation program, that the program be</p>	<p>Staff agrees that MFAC can be implemented through a conditional</p>

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			implemented solely through the conditional waiver and not an NPDES permit.	waiver.
3-1.11	City of Ventura	May 3	The Staff Report is unclear on the responsibilities of the agricultural land owners in regard to MFAC programs and baseline application and as to whether the trash TMDL will be enforced through the existing Conditional Waiver for Irrigated Agriculture or through a new Conditional Waiver. The current language is inconsistent as to whether the Calabasas derived baseline applies to agricultural landowners, although it is clear they are not exempt from MFAC program implementation. To clarify these issues, the Underline/Strikeout Draft Staff Report and Tentative BPA include suggested language stating that a baseline determination will apply separately as part of the existing Conditional Waiver for Irrigated Agriculture.	The BPA has been revised to clarify that the MFAC program will be implemented through the existing Agricultural Waiver. The existing waiver allows revisions of the monitoring plan to include trash monitoring and collection administratively. These requirements will be applicable to agricultural land owners.
3-1.12	City of Ventura	May 3	The Staff Report requires an enhanced MFAC program or implementation of structural or nonstructural BMPs if trash assessments do not meet the specified milestones (10%, 30%, and 50% reductions from baseline in program years one, two, and three). The language is unclear and could result in requirements that are not consistent with the implementation program being pursued by the responsible parties. Suggested edits to this language are provided in the Draft Staff Report so that if any of the milestones are not met, the responsible jurisdiction will respond by making program improvements. We believe given the safeguards built into the Executive Officer's discretion over program shortfalls, this response should be adequate.	The MFAC program allows responsible jurisdictions to propose BMPs for Executive Officer approval. However, staff agrees and has revised the BPA to clarify responsible jurisdiction's responsibility in making Program improvement, should any of the milestone is not met.
3-1.13	City of Ventura	May 3	This comment is intended to address the apparent paradox in the Staff Report, which, while stating that MFAC programs are an "alternative" for point sources (along with a full capture program), nonetheless requires MFAC programs for jurisdictions	Staff agrees.

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			that have nonpoint sources. Thus, jurisdictions that have both point and nonpoint sources do not have the option not to implement an MFAC program. In order for the MFAC program to be a true “alternative” to a full capture program, parties that implement a full capture system should not be required to also implement an MFAC program. Therefore, we request compliance with a full capture program suffice for nonpoint contributions as well as point sources.	
3-1.14	City of Ventura	May 3	Table 7-25.1 in the Tentative Basin Plan Amendment authorizes responsible jurisdictions to comply with Waste Load Allocations by progressively implementing full capture systems on storm drains. Point sources that comply using this option must demonstrate a phased reduction from the baseline over an eight-year period. The responsible jurisdictions do not see the need to demonstrate a phased reduction from the trash baseline. Because the final WLA of “zero” can be achieved by installing full capture systems on all storm drains discharging to the estuary, the responsible jurisdictions would prefer that compliance with phased reductions be met solely by demonstrating an agreed upon phase-in of full capture systems until all subject storm drains are retrofitted. [For example, as a preliminary proposal, the cities propose to retrofit 20%...etc.].	Prioritization of full capture system installation according to trash loading requires to be validated by the actual trash quantity collected, although responsible jurisdictions are deemed in compliance by implementing full capture system.
3-1.15	City of Ventura	May 3	Based on site visits by stakeholders and Regional Board staff on April 20, 2007, we suggest modifying the description of the Ventura estuary by placing the estuary’s northern boundary at the U.S. 101 Freeway Bridge in the City of San Buenaventura instead of the Main Street Bridge. The boundary will recognize the farthest upstream salt-water influence from the Pacific Ocean.	The Basin Plan has included Ventura River Estuary as a part of Section 1 of Ventura River Watershed by considering the hydraulic interaction. The boundary between Sections 1 and 2 is set at Main Street of City of Ventura.
3-1.16	City of Ventura	May 3	We note Department of Food and Agriculture is named in Table 8 “Nonpoint Source Responsible Jurisdiction-Ventura River Estuary” as a responsible jurisdiction, but should also be added	Comment noted.

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			as a point source.	
3-1.17	City of Ventura	May 3	The source analysis included in the Draft Staff Report is incomplete and does not accurately represent the sources to the Ventura River Estuary. Additional information has been provided to make the source analysis accurate for the Estuary. The stakeholders request that the TMDL acknowledge that upstream sources of trash may impact the ability of the local stakeholders to meet the requirements of the TMDL and that local stakeholders shall be deemed to be in compliance if they address the sources of trash in the areas over which they have jurisdiction.	Staff appreciates the work to characterize trash by the County. The Staff Report has been revised to include a discussion of the study as it relates to Agricultural sources.
3-1.18	City of Ventura	May 3	The cost determination in Section 12, Cost Considerations is unclear. This section inappropriately references Revolon Slough and Beardsley Wash. In addition, it is unclear to what the annualized costs apply. The referenced 759 catch basins appears to apply to the Calleguas Creek subwatersheds, and it is unclear how the annualized capital costs were determined. We request that this section be clarified and updated to correctly represent the Ventura River Estuary.	The cost section will be revised to be specific for Ventura River Estuary.
3-1.19	City of Ventura	May 3	The parties disagree with the cost estimate on page 42 of the Staff Report for MFAC program implementation. The estimate assumes a single person can complete trash assessment and collection in four hours. Initial monitoring and assessment conducted in the three waterbodies required three to four hours with two people to pick up all trash found in a 100-foot stretch of the waterbodies. The shoreline of the Ventura River Estuary encompasses at least 2,890 feet. As a result, the cost estimate is not sufficient to represent the actual costs of implementing the MFAC program as written in the TMDL. A reduced frequency of monitoring has been included in the Underline/Strikeout versions of the documents and the cost analysis has been updated in the revised documents to represent the suggested revised	The cost section contains cost estimate based on assumptions and is referenced for comparison purposes only since detail information is not available. Responsible jurisdictions may conduct site specific cost analysis with considerations of existing or proposed BMPs, frequency, and labor cost.

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			monitoring frequency.	
3-1.20	City of Ventura	May 3	The TMDL contains many references to lakes and Los Angeles County responsible parties, inconsistencies, and unclear definitions. The Underline/Strikeout versions of the documents provide suggestions for these inconsistencies and definition clarifications.	Comment noted.
3-1.21	City of Ventura	May 3	The Draft Staff Report should consistently state that MFAC programs are available as a compliance option for point sources. The Draft Staff Report is internally inconsistent on this point, as well as inconsistent with the Tentative BPA. Language in the Draft Staff Report suggests that MFAC programs may be implemented only to satisfy nonpoint source obligations. (See Sections VI, second paragraph, as well as Section IX on page 21). In contrast, language on page 2 of the public hearing notice and the Tentative BPA, as well as language on page 20, page 23, Figure 4, and Table 10 in the Draft Staff Report indicate MFAC programs can be implemented to meet the TMDL’s declining allocations for point sources. The responsible jurisdictions request that the Draft Staff Report be revised to consistently state that the MFAC program is an implementation option for point sources.	Staff agrees.
3-1.22	City of Ventura	May 3	The Staff Report defines the term “collection” as “twice per week and after periods of high visitation during weekends and holidays from May 15 to October 15. (See pages 23, 25, and 36). Table 7-25.1 in the draft amended Basin Plan uses similar language, but includes “during and after weekends...” (emphasis added). Unlike lakes, Revolon Slough, Beardsley Wash, and the Ventura River Estuary do not have periods of high visitation. Requirements for additional cleanups during periods of high visitation should be removed.	Staff partially agrees. During summer and when events occurs at adjacent fairground, Ventura River Estuary do have high visitation. Such critical conditions need to be addressed with proper cleanup strategies.
3-1.23	City of	May 3	The staff report’s use of the terms Baseline Waste Load	Staff agrees that the terms used in the

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	Ventura		Allocation and Baseline Load Allocation is confusing. The term is used to describe the initial baseline based on the Calabasas research or any revised baseline founded on the results of the “Trash Monitoring and Reporting Plan.” The confusion arises because the term is capitalized in the staff report and is defined in Appendix A (for WLAs) in terms of existing data (i.e. the Calabasas study) and includes the word “Allocation.” The stakeholders request that the language be changed to “Trash Baseline” to clarify the distinction between allocations and the baseline.	TMDL are confusing. Generally, Baseline Waste Load or Load Allocations refer to the existing trash loading according to data collected prior to the implementation of TMDL, and may be derived by using reference approach when preliminary data is not available. These Baseline WLAs/LAs shall not be confused with Waste Load or Load Allocations which are allowable discharges assigned to responsible jurisdictions each year until the numeric goal is achieved.
3-1.24	City of Ventura	May 3	The word “summer” should be removed from page 42 of the Staff Report. April, May, the first two thirds of June, and the last third of September do not occur in the “summer.”	Staff agrees and the Staff Report will be revised accordingly.
3-1.25	City of Ventura	May 3	Definitions for the term “collection” under an MFAC program should be consistent throughout the Staff Report and the Basin Plan for both point and nonpoint sources. Language on page 23 of the Staff Report defines the term for point sources as “removing 100% of trash found at the estuary...” (emphasis added). In contrast, language on page 25 defines the term for nonpoint sources as “picking up 100% of trash...” Similarly, language in the proposed amended Basin Plan describes an MFAC program as including “pickup of all visible trash in the water and on the shoreline.” (Table 7-25.1, emphasis added). We request the Regional Board consider the heavy burden and liability in having to remove 100% of all “visible” trash during collection events because even very small particles of trash must be removed under the definition of the term “trash.” We note that trash particles as small as five millimeters are considered trash for the purpose of the full capture system’s efficiency	BPA has been revised to be consistent with the Staff Report, which requires “picking up 100% of trash.”

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			requirements and can be considered “visible” under the right circumstances. In addition, the term “visible trash” is vague and subject to interpretation, which the responsible jurisdictions would prefer to avoid.	
3-2.1	County of Ventura, Public Works Agency	May 4	The baseline allocations included in the TMDL for all entities except Caltrans are based on the amount of trash collected in a full capture device in the City of Calabasas. The Draft staff report states that the City of Calabasas data are appropriate for the Ventura River because the land use characteristics are similar in that only a small portion of the watershed is urban, and the rest is open space. However, the watershed characteristics of the Ventura River Estuary are significantly different from the City of Calabasas study. Point sources surrounding the Ventura River Estuary are made up of a variety of types of land uses, including a small portion of the City of Ventura (less than 10% of the City drains to the Estuary), the Ventura County Fair grounds, and an RV Park. Each of the land uses surrounding the Ventura River Estuary has a unique potential for trash generation that is not represented by the City of Calabasas study. Additionally, as stated in the Draft Staff Report nonpoint sources (including the transient population that lives in the riparian area of the Estuary) are considered to be the most significant source of trash to the Ventura River Estuary.	Please see 3-1.2 response
3-2.2	County of Ventura, Public Works Agency	May 4	To address this issue, the stakeholders request that the baseline wasteload and load allocations be removed from the Draft Staff Report and Tentative BPA and a requirement to determine an appropriate trash baseline figure over the two-year period following the effective date of the TMDL be included instead. As part of the required Trash Monitoring and Reporting Plan, the stakeholders should be required to submit a plan to develop a trash baseline. The results of the study should be submitted to	Please see 3-1.3 response

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			<p>the Regional Board along with a recommended trash baseline value for incorporation into the TMDL.</p> <p>Precedent for including a study to determine a baseline when sufficient data are not available to establish a baseline as part of the TMDL exists in the Calleguas Creek Siltation TMDL. In that TMDL, the allocations are a reduction from a baseline that is determined through a required study in the TMDL. A similar approach is requested for the Ventura River Estuary Trash TMDL.</p>	
3-2.3	County of Ventura, Public Works Agency	May 4	<p>The draft TMDL authorizes two compliance options for point sources and one compliance option for non-point sources. Point sources can either progressively install full capture systems on storm drains or implement MFAC programs and non-point sources may only implement MFAC programs. The included compliance options both represent significant burdens to the stakeholders, do not account for existing programs, and do not allow the responsible parties the option to develop cost effective implementation strategies to meet the TMDL allocations.</p>	Please see 3-1.4 response
3-2.4	County of Ventura, Public Works Agency	May 4	<p>The language in the Draft Staff Report and Tentative BPA is unclear as to the extent of application of the MFAC program (i.e. just the Estuary or into the watershed 7 miles). The application of the MFAC program should be clearly limited to the defined Estuary area.</p>	Please see 3-1.5 response
3-2.5	County of Ventura, Public Works Agency	May 4	<p>Many areas of the Ventura River Estuary are inaccessible or unsafe to access. The Underline/Strikeout Draft Staff Report and Tentative BPA proposes language to clarify that trash does not have to be collected in areas posing a hazard during the baseline determination period and during MFAC implementation on page 20. Specifically, responsible jurisdictions should not have to collect trash from dense thickets of Arundo Donax and Willows and where water depth may preclude a safe crossing. This includes land islands created by the branches of the river delta</p>	Please see 3-1.6 response

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			where the river is more than 18 inches deep at the time of trash collection.	
3-2.6	County of Ventura, Public Works Agency	May 4	The responsible parties may have limited jurisdiction or authority to access the Ventura River Estuary. Additionally, Cities may not have the local authority to spend resources to clean up areas outside of the City limits, and the County has limited regulatory authority over private property holders within unincorporated areas. We suggest that language acknowledging these limitations and ensuring that compliance is achieved if the MFAC program is implemented in the areas for which the responsible parties have authority. Suggested changes are included on pages 20.	Please see 3-1.7 response
3-2.7	County of Ventura, Public Works Agency	May 4	While we recognize that the estuary will benefit from trash cleanup events, we believe such frequent cleanup is unwarranted. Instead, the stakeholders propose that minimum trash collection frequency for the MFAC program implementation be as follows: <ul style="list-style-type: none"> a. Once per month for the sandy beach area between the estuary and the ocean b. Within one week after each storm event with one inch of rain or greater at the Front Street storm drain, which discharges under the eastern levee, 50 feet north of the railroad tracks. c. Quarterly for other areas of the estuary. 	Please see 3-1.8 response
3-2.8	County of Ventura, Public Works Agency	May 4	In addition, responsible jurisdictions should be authorized to modify the above schedule based upon future assessments of the effectiveness of MFAC programs and the trash problem itself. Suggested language has been added to the Underline/Strikeout Draft Staff Report, to clarify that a jurisdictions may resubmit the Trash Monitoring and Reporting Plan to (1) request a change to the proposed trash collection frequency and strategy, (2) implement strategies with emphasis on problem areas, (3) change	Please see 3-1.9 response

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			to the trash metric(s), and (4) other areas upon request, including trash reduction strategies after major rain events. This language is intended to authorize jurisdictions to focus trash cleanup efforts on problem areas after careful program analysis.	
3-2.9	County of Ventura, Public Works Agency	May 4	The stakeholders would like to request that if a MFAC program is the chosen implementation program, that the program be implemented solely through the conditional waiver and not an NPDES permit.	Please see 3-1.10 response
3-2.10	County of Ventura, Public Works Agency	May 4	The Staff Report is unclear on the responsibilities of the agricultural land owners in regard to MFAC programs and baseline application and as to whether the trash TMDL will be enforced through the existing Conditional Waiver for Irrigated Agriculture or through a new Conditional Waiver. The current language is inconsistent as to whether the Calabasas derived baseline applies to agricultural landowners, although it is clear they are not exempt from MFAC program implementation. To clarify these issues, the Underline/Strikeout Draft Staff Report and Tentative BPA include suggested language stating that a baseline determination will apply separately as part of the existing Conditional Waiver for Irrigated Agriculture.	Please see 3-1.11 response
3-2.11	County of Ventura, Public Works Agency	May 4	The Staff Report requires an enhanced MFAC program or implementation of structural or nonstructural BMPs if trash assessments do not meet the specified milestones (10%, 30%, and 50% reductions from baseline in program years one, two, and three). The language is unclear and could result in requirements that are not consistent with the implementation program being pursued by the responsible parties. Suggested edits to this language are provided in the Draft Staff Report so that if any of the milestones are not met, the responsible jurisdiction will respond by making program improvements. We believe given the safeguards built into the Executive Officer's discretion over program shortfalls, this response should be	Please see 3-1.12 response

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			adequate.	
3-2.12	County of Ventura, Public Works Agency	May 4	This comment is intended to address the apparent paradox in the Staff Report, which, while stating that MFAC programs are an “alternative” for point sources (along with a full capture program), nonetheless requires MFAC programs for jurisdictions that have nonpoint sources. Thus, jurisdictions that have both point and nonpoint sources do not have the option not to implement an MFAC program. In order for the MFAC program to be a true “alternative” to a full capture program, parties that implement a full capture system should not be required to also implement an MFAC program. Therefore, we request compliance with a full capture program suffice for nonpoint contributions as well as point sources.	Please see 3-1.13 response
3-2.13	County of Ventura, Public Works Agency	May 4	Table 7-25.1 in the Tentative Basin Plan Amendment authorizes responsible jurisdictions to comply with Waste Load Allocations by progressively implementing full capture systems on storm drains. Point sources that comply using this option must demonstrate a phased reduction from the baseline over an eight-year period. The responsible jurisdictions do not see the need to demonstrate a phased reduction from the trash baseline. Because the final WLA of “zero” can be achieved by installing full capture systems on all storm drains discharging to the estuary, the responsible jurisdictions would prefer that compliance with phased reductions be met solely by demonstrating an agreed upon phase-in of full capture systems until all subject storm drains are retrofitted. [For example, as a preliminary proposal, the cities propose to retrofit 20%...etc.].	Please see 3-1.14 response
3-2.14	County of Ventura, Public Works Agency	May 4	Based on site visits by stake holders and Regional Board staff on April 20, 2007, we suggest modifying the description of the Ventura estuary by placing the estuary’s northern boundary at the U.S. 101 Freeway overpass in the City of San Buenaventura instead of the Main Street bridge.	Please see 3-1.15 response

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3-2.15	County of Ventura, Public Works Agency	May 4	We note Department of Food and Agriculture is named in Table 8 “Nonpoint Source Responsible Jurisdiction – Ventura River Estuary” as a responsible jurisdiction, but should also be added as a point source.	Please see 3-1.16 response
3-2.16	County of Ventura, Public Works Agency	May 4	The source analysis included in the Draft Staff Report is incomplete and does not accurately represent the sources to the Ventura River Estuary. Additional information has been provided to make the source analysis accurate for the Estuary. The stakeholders request that the TMDL acknowledge that upstream sources of trash may impact the ability of the local stakeholders to meet the requirements of the TMDL and that local stakeholders shall be deemed to be in compliance if they address the sources of trash in the areas over which they have jurisdiction.	Please see 3-1.17 response
3-2.17	County of Ventura, Public Works Agency	May 4	The cost determination in Section 12, Cost Considerations is unclear. This section inappropriately references Revolon Slough and Beardsley Wash. In addition, it is unclear to what the annualized costs apply. The referenced 759 catch basins appears to apply to the Calleguas Creek subwatersheds, and it is unclear how the annualized capital costs were determined. We request that this section be clarified and updated to correctly represent the Ventura River Estuary.	Please see 3-1.18 response
3-2.18	County of Ventura, Public Works Agency	May 4	The parties disagree with the cost estimate on page 42 of the Staff Report for MFAC program implementation. The estimate assumes a single person can complete trash assessment and collection in four hours. Initial monitoring and assessment conducted in the three waterbodies required three to four hours with two people to pick up all trash found in a 100 foot stretch of the waterbodies. The shoreline of the Ventura River Estuary encompasses at least 2890 feet. As a result, the cost estimate is not sufficient to represent the actual costs of implementing the MFAC program as written in the TMDL. A reduced frequency	Please see 3-1.19 response

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			of monitoring has been included in the Underline/Strikeout versions of the documents and the cost analysis has been updated in the revised documents to represent the suggested revised monitoring frequency.	
3-2.19	County of Ventura, Public Works Agency	May 4	The TMDL contains many references to lakes and Los Angeles County responsible parties, inconsistencies, and unclear definitions. The Underline/Strikeout versions of the documents provide suggestions for these inconsistencies and definition clarifications.	Please see 3-1.20 response
3-2.20	County of Ventura, Public Works Agency	May 4	The Draft Staff Report should consistently state that MFAC programs are available as a compliance option for point sources. The Draft Staff Report is internally inconsistent on this point, as well as inconsistent with the Tentative BPA. Language in the Draft Staff Report suggests that MFAC programs may be implemented only to satisfy nonpoint source obligations. (See Sections VI, second paragraph, as well as Section IX on page 21). In contrast, language on page 2 of the public hearing notice and the Tentative BPA, as well as language on page 20, page 23, Figure 4, and Table 10 in the Draft Staff Report indicate MFAC programs can be implemented to meet the TMDL’s declining allocations for point sources. The responsible jurisdictions request that the Draft Staff Report be revised to consistently state that the MFAC program is an implementation option for point sources.	Please see 3-1.21 response
3-2.21	County of Ventura, Public Works Agency	May 4	The Staff Report defines the term “collection” as “twice per week and after periods of high visitation during weekends and holidays from May 15 to October 15. (See pages 23, 25, and 36). Table 7-25.1 in the draft amended Basin Plan uses similar language, but includes “during and after weekends...” (emphasis added). Unlike lakes, Revolon Slough, Beardsley Wash, and the Ventura River Estuary do not have periods of high visitation.	Please see 3-1.22 response

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			Requirements for additional cleanups during periods of high visitation should be removed.	
3-2.22	County of Ventura, Public Works Agency	May 4	The staff report’s use of the terms Baseline Waste Load Allocation and Baseline Load Allocation is confusing. The term is used to describe the initial baseline based on the Calabasas research or any revised baseline founded on the results of the “Trash Monitoring and Reporting Plan.” The confusion arises because the term is capitalized in the staff report and is defined in Appendix A (for WLAs) in terms of existing data (i.e. the Calabasas study) and includes the word “Allocation.” The stakeholders request that the language be changed to “Trash Baseline” to clarify the distinction between allocations and the baseline.	Please see 3-1.23 response
3-2.23	County of Ventura, Public Works Agency	May 4	The word “summer” should be removed from page 42 of the Staff Report. April, May, the first two thirds of June, and the last third of September do not occur in the “summer.”	Please see 3-1.24 response
3-2.24	County of Ventura, Public Works Agency	May 4	Definitions for the term “collection” under an MFAC program should be consistent throughout the Staff Report and the Basin Plan for both point and nonpoint sources. Language on page 23 of the Staff Report defines the term for point sources as “removing 100% of trash found at the estuary...” (emphasis added). In contrast, language on page 25 defines the term for nonpoint sources as “picking up 100% of trash...” Similarly, language in the proposed amended Basin Plan describes an MFAC program as including “pickup of all visible trash in the water and on the shoreline.” (Table 7-25.1, emphasis added). We request the Regional Board consider the heavy burden and liability in having to remove 100% of all “visible” trash during collection events because even very small particles of trash must be removed under the definition of the term “trash.” We note	Please see 3-1.25 response

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			that trash particles as small as five millimeters are considered trash for the purpose of the full capture system’s efficiency requirements and can be considered “visible” under the right circumstances. In addition, the term “visible trash” is vague and subject to interpretation, which the responsible jurisdictions would prefer to avoid.	
3-3.1	Heal the Bay	May 4	We strongly support the Regional Board’s requirement of zero trash discharge in the Draft TMDLs. The Regional Board acknowledged that a zero trash discharge requirement was an appropriate piece of regulation with the adoption of the LA River Trash TMDL in 2001, and subsequent legal decisions regarding this Trash TMDL by the judicial system further validates this limit. In the same vein, zero trash limits in the Draft Trash TMDLs meet the threshold of attaining and maintaining water quality standards as set forth in the Clean Water Act.	Comment noted.
3-3.2	Heal the Bay	May 4	However, we have serious concerns that several requirements in the Draft TMDLs are in direct conflict with the zero trash waste load allocations, and thus do not pave the way for water quality standards attainment in these waterbodies. First, implementation of the Minimum Frequency and Collection Program as outlined in the Draft TMDLs is unlikely to lead to compliance with the zero trash limits. Also, the implementation schedule for nonpoint sources contradicts the established limits. These concerns and others are discussed in further detail below.	Staff disagrees. Manual collection of trash in the receiving water bodies is essential to attaining the goal of zero trash. The minimum frequency program will achieve the zero waste load allocation as discussed below
3-3.3	Heal the Bay	May 4	Staff correctly assigns a TMDL of zero trash. The Draft Trash TMDLs establish a numeric target of zero trash, a final Waste Load Allocation (“WLA”) of zero trash and a final Load Allocation (“LA”) of zero trash. We strongly support these requirements, as zero is the only appropriate TMDL for trash given the water quality standards for these waterbodies set forth in the Basin Plan and Clean Water Act requirements. The federal Clean Water Act requires states to establish TMDLs	Comment noted.

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			<p>“...at levels necessary to obtain and maintain the applicable narrative and numerical WQS [water quality standards] with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality.”¹ The Basin Plan calls for no floatables or settleables that will cause a nuisance or adversely affect beneficial uses. Even small quantities of trash violate the Clean Water Act and Basin Plan. For instance, small amounts of trash can maim or kill wildlife that becomes entangled in, or ingests, the debris. Plainly, zero is the only fair interpretation of the Basin Plan water quality standards that will guarantee protection of the beneficial uses of these waterbodies with an appropriate margin of safety. Also after numerous legal challenges by the regulated community, the courts upheld the LA River Trash TMDL zero trash limit as an appropriate piece of legislation. Thus, the Regional Board staff’s proposal of zero trash discharge is, clearly, appropriate.</p>	
3-3.4	Heal the Bay	May 4	<p>While we support the idea of clean-up programs to handle trash, the MFAC as a stand-alone program is unlikely to compliance with final WLAs and LAs. The MFAC Program should be over and above the full capture device concept, not in lieu of this established concept. BMPs used to address nonpoint sources must be the functional equivalent of a full capture system at a minimum. Further, full capture devices may be appropriate for discharges other than storm drains, such as irrigation ditches. As seen in the field, by themselves, full capture devices do not fully address the problem of trash impairment. For instance there are thousands of full capture devices installed throughout Compton Creek Watershed; however, enormous volumes of trash still impair Compton Creek. Volunteer Creek clean-up efforts routinely remove over 10,000 pounds of trash in a two to three hour period. In fact the State</p>	<p>The watersheds of this TMDL are different from that of the Los Angeles River where full capture devices are appropriate. The watersheds of this TMDL load a greater proportion of trash from nonpoint sources. In some cases, full-capture devices provide minimal source reduction would not attain a zero trash target. Responsible jurisdictions require greater flexibility for a number of site specific reasons, including but not limited to flooding, extensive non-point source loading, potential for effectiveness of BMPs.</p>

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			<p>Board recently listed Compton Creek as impaired by trash on the 2006 303(d) List of Impaired Waterbodies. Thus, the MFAC Program in addition to a full capture device concept is appropriate. If and only if there is no logical application of the full capture device concept to nonpoint sources should a MFAC Program alone be pursued. Under no circumstances should a MFAC Program be allowed as a functional equivalent for meeting the zero trash limit or as a full capture device on a point source.</p>	
3-3.5	Heal the Bay	May 4	<p>The Implementation Schedule should require a 100% reduction of trash from the baseline for point and nonpoint sources. The final compliance task included in the Draft TMDLs' Implementation Schedules for nonpoint sources is the installation of BMPs to achieve 50% reduction of trash from Baseline WLAs and LAs. This is inconsistent with the prescribed final WLAs and LAs of zero trash.</p> <p>In no shape or form does a 50% reduction of trash from the baseline lead to the zero trash target. Thus, a final WLA or LA of 50% reduction from baseline is in direct conflict with a zero trash limit. Instead, the Regional Board must require a 100% reduction of trash from the baseline in order to meet the zero trash target.</p>	<p>Staff has revised the BPA to remove the 50% reduction of trash from the Baseline. The MFAC implements zero trash numeric target by attaining a zero trash target on days of collection and a collection frequency that does not allow trash to accumulate in deleterious amounts.</p>
3-3.6	Heal the Bay	May 4	<p>The source analysis should consider trash from upstream discharges.</p> <p>The source analysis sections in the Draft TMDLs discuss three sources of trash to the impaired waterbodies: storm drains, wind action and direct disposal. However, this analysis is missing a critical source of trash. Streams and other drainages discharging into the impaired Lakes and Estuaries are major sources of trash. For instance, the Ventura River that runs through several urban areas discharges into the Ventura River Estuary and is a source of trash to the Estuary. As another example, the Wilmington Drain empties into Machado Lake and is the major source of</p>	<p>The TMDL does consider trash from upstream discharges for those watersheds where upstream sources are an issue. Upstream sources include MS4s, agricultural drainages, and tributaries to 303(d) listed water bodies.</p>

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			<p>trash to the Lake. In fact Proposition O funding was approved by the City of Los Angeles for a larger project (a \$117 million restoration and clean up project) that includes targeting trash from the Wilmington Drainage, a 12,800 acre drainage area. Final WLAs will never be met until streams and drainages are addressed as a source. The Regional Board should evaluate these major sources of trash and require full capture devices throughout the watersheds of streams and drainages that discharge to the impaired waterbodies.</p>	
3-3.7	Heal the Bay	May 4	<p>Trash that is currently within the impaired waterbodies should be considered in the baseline calculations. The Draft TMDLs focus on trash that is visible on the shores and surface of the impaired waterbodies. However, the Draft TMDLs fail to address trash below the surface of the waterbody that also contributes to violations of water quality objectives and impairs beneficial uses. Maintenance dredging activities such as those conducted in Marina del Rey demonstrate the large volume of trash that can be located in the sediment of a waterbody. Trash within the waterbodies should be considered when developing appropriate baseline values and eventually in determining compliance with WLAs and LAs. For instance, there is likely an underestimation of the baseline load, as only trash around the waterbodies and on the surface was considered. The Draft TMDLs did not consider that a significant portion of the load sinks to the bottom of the receiving water. To address this problem, the Regional Board could estimate that their current calculations do not account for 25% of the true baseline load. Additional assessment of this source could lead to a better estimate at a later date. The Regional Board should consider this source of trash in their development of the Draft TMDLs and appropriate baselines.</p>	<p>Staff agrees and notes that the Marina del Rey example cited in the comment may not be applicable to Ventura River Estuary. Nevertheless, the Staff Report will be revised such that when estuary cleaning and dredging operations are implemented, that recovered trash is disposed of properly.</p>
3-3.8	Heal the Bay	May 4	<p>The Regional Board should develop a definition for a major rain</p>	<p>Staff notes that a single rain event may</p>

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			<p>event.</p> <p>As part of the MFAC monitoring program, the Draft TMDLs require that the discharger develop a definition for a major rain event. This is an inappropriate task for a discharger and would facilitate varied definitions throughout the Region. Instead, the Regional Board should develop a definition. We propose that a major rain event for monitoring purposes be defined as 0.25” or more predicted rainfall based on the National Weather Service forecast. If the actual rain event is 0.1” or greater, the data would be kept.</p> <p>The MFAC Program in the Draft Lake Elizabeth, Munz Lake and Lake Hughes Trash TMDL sets a default minimum clean-up frequency as once per week and within 48 hours of critical conditions defined as major rain events and wind advisories. Again in this case, the Regional Board should define a major rain event.</p>	<p>not be appropriate across the Region. The widely different land uses, permeability, and topography are such that trash mobilization is different in precipitation events. The TMDL authorizes the Executive Officer to approve a rain event definition in the early stages of the TMDL, based on stakeholder input.</p>
3-3.9	Heal the Bay	May 4	<p>The Regional Board should encourage steady progress to final Waste Load Allocations.</p> <p>The Draft TMDLs specify that “compliance with percent reductions from the Baseline WLA will be assumed wherever full capture systems are installed in corresponding percentages of the storm drain system discharging to the lake.” The Regional Board should encourage dischargers to tackle point sources with the highest loadings first so that major trash reductions are not back-loaded to the end of the compliance schedule.</p>	<p>Staff agrees. The BPA has been revised to include language addressing the importance of prioritizing highest point source loading. The waste load reductions specified in the TMDL implementation schedule represent steady progress toward final Waste Load Allocations.</p>
3-3.10	Heal the Bay	May 4	<p>The Baseline Load Allocation in the Draft Ventura River Trash TMDL appears to be incorrect.</p> <p>The Draft Ventura River Estuary Trash TMDL provides a default Baseline LA of 6,389 gallons of uncompressed trash per square mile per year. This appears to be a typographical error based on the figures provided in the Staff Report and other Draft Trash TMDLs. The Regional Board should modify this number</p>	<p>The Staff Report will be revised to correct cited errors.</p>

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			accordingly.	
3-3.11	Heal the Bay	May 4	<p>Datasets and calculations for the Baseline WLAs and LAs should be included in the Staff Reports.</p> <p>The Draft TMDLs establish Baseline WLAs and LAs based on several datasets such as data collected by the City of Calabasas for a Continuous Deflective Separator (CDS) installed in December of 1998 for runoff from Calabasas Park Hills to Las Virgenes Creek. However, these datasets are not included in the staff reports so it is impossible to review the appropriateness of the Baseline WLAs and LAs. The Regional Board should incorporate these datasets into the Staff Reports.</p>	The Staff Report will be revised to include data for the Calabasas CDS study.
3-4.1	USEPA	May 4	My initial review suggests the six draft TMDL staff reports have reasonably defined impairment assessments, calculated waste load and load allocations, considered critical conditions and provided a margin of safety.	Comment noted.
3-4.2	USEPA	May 4	The TMDLs appropriately set the numeric target at zero trash, and included phased reduction tasks from defined baseline waste load and load allocations (WLA and LA).	Comment Noted.
3-4.3	USEPA	May 4	The critical portion of these TMDLs is the implementation plans, which define in detail the steps for achieving zero trash in a set time frame. In addressing non-point sources, each TMDL practically establishes a program of Minimum Frequency of Assessment and Collection (MFAC) and installation of Best Management Practices (BMPs) to address the trash impairment problem. However, at the end of the 5 year compliance schedule, final compliance achievement for non-point sources is defined as “progressive decline of trash by 50% from the baseline WLA and LA.” Please clarify how 100% reduction of trash from the baseline LA will be achieved.	Staff has revised the BPA to remove the 50% reduction of trash from the Baseline. The MFAC implements zero trash numeric target by attaining a zero trash target on days of collection and a collection frequency that does not allow trash to accumulate in deleterious amounts.
3-4.4	USEPA	May 4	The trash TMDLs for Legg Lake, Machado Lake, Ventura River Estuary, Revolon Slough and Beardsley Wash, and Santa Clara River included a final compliance schedule of eight years to	The difference is that the Los Angeles River trash TMDL addresses a larger watershed than any of the other trash

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			achieve the final TMDL target of zero trash for WLA. However, the Los Angeles trash TMDL provided an additional year to responsible parties for achieving the final WLA, based on a 3 year rolling average. Please explain the basis for the differences between the compliance schedules and overall approach towards WLAs.	TMDLs, where the waterbodies are both smaller and more homogeneous. Averaging is thereby appropriate for the Los Angeles River watershed.
3-5.1	Caltrans	May 2 (Rec'd 5/7 via email)	The Department is concerned with the implementation of full capture devices as recommended by the regional board staff. Our major concern is that these devices may not be compatible with the structural controls that may be required for subsequent TMDLs developed for the Ventura River Watershed. The piecemeal issuance of the TMDLs means that permittees such as the Department are required to implement controls prior to being aware of the total pollutant control requirements to comply with all TMDLs.	The structural devices required for trash are limited in this TMDL. The TMDL largely focuses on manual collection and non-structural BMPs. We see no incompatibility in the implementation of the trash TMDL and other TMDLs because of the limited need for structural BMPs in this TMDL. Furthermore, trash removal BMPs can be used with other structural BMPs to remove additional pollutants.
3-6.1	California State Department of Parks and Recreation	May 4	The Guidelines for this estuary have been developed by modeling it to the City of Calabasas because only a small portion of point sources are urban and the rest is open space. We feel this is a generalization, and fails to represent the unique mix of upstream contributors to the Ventura River, as well as the homeless encampments that are major contributors, and not present in the Calabasas watershed.	Staff finds that there are few datasets available on which to base a reference approach other than using the Calabasas study. Responsible jurisdiction may include factors of upstream contributors as well as the homeless population in the analysis while implementing Trash Monitoring and Reporting Plan.
3-6.2	California State Department of Parks and Recreation		The minimum Frequency of Assessment and Collection MFAC suggests stakeholder personnel clean up the estuary twice per week and after high visitation, holidays, and storm events. The dynamics of the river make the river bottom and banks unreliable to transit. This is often not safe or possible.	Staff agrees that trash collection should not pose safety hazards to personnel. Language revising the BPA to indicate that trash collection should not pose safety hazards is included.
3-6.3	California		We would like to propose a minimum of two year period to	Comment noted.

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	State Department of Parks and Recreation		convene the stakeholder group and study this mandate to create a formula that will meet the TMDL for zero trash.	
3-7.1	Ventura County Watershed Protection District	May 4	The baseline allocations included in the TMDL for all entities except Caltrans are based on the amount of trash collected in a full capture device in the City of Calabasas. The Draft staff report states that the City of Calabasas data are appropriate for the Ventura River because the land use characteristics are similar in that only a small portion of the watershed is urban, and the rest is open space. However, the watershed characteristics of the Ventura River Estuary are significantly different from the City of Calabasas study. Point sources surrounding the Ventura River Estuary are made up of a variety of types of land uses, including a small portion of the City of Ventura (less than 10% of the City drains to the Estuary), the Ventura County Fair grounds, and an RV Park. Each of the land uses surrounding the Ventura River Estuary has a unique potential for trash generation that is not represented by the City of Calabasas study. Additionally, as stated in the Draft Staff Report nonpoint sources (including the transient population that lives in the riparian area of the Estuary) are considered to be the most significant source of trash to the Ventura River Estuary.	Please see 3-1.2 response
3-7.2	Ventura County Watershed Protection District		To address this issue, the stakeholders request that the baseline waste load and load allocations be removed from the Draft Staff Report and Tentative BPA and a requirement to determine an appropriate trash baseline figure over the two-year period following the effective date of the TMDL be included instead. As part of the required Trash Monitoring and Reporting Plan, the stakeholders should be required to submit a plan to develop a trash baseline. The results of the study should be submitted to	Please see 3-1.3 response

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			the Regional Board along with a recommended trash baseline value for incorporation into the TMDL.	
3-7.3	Ventura County Watershed Protection District		The draft TMDL authorizes two compliance options for point sources and one compliance option for non-point sources. Point sources can either progressively install full capture systems on storm drains or implement MFAC programs and non-point sources may only implement MFAC programs. The included compliance options both represent significant burdens to the stakeholders, do not account for existing programs, and do not allow the responsible parties the option to develop cost effective implementation strategies to meet the TMDL allocations.	Please see 3-1.4 response
3-7.4	Ventura County Watershed Protection District		The language in the Draft Staff Report and Tentative BPA is unclear as to the extent of application of the MFAC program (i.e. just the Estuary or into the watershed 7 miles). The application of the MFAC program should be clearly limited to the defined Estuary area.	Please see 3-1.5 response
3-7.5	Ventura County Watershed Protection District		Many areas of the Ventura River Estuary are inaccessible or unsafe to access. The Underline/Strikeout Draft Staff Report and Tentative BPA proposes language to clarify that trash does not have to be collected in areas posing a hazard during the baseline determination period and during MFAC implementation on page 20. Specifically, responsible jurisdictions should not have to collect trash from dense thickets of Arundo Donax and Willows and where water depth may preclude a safe crossing. This includes land islands created by the branches of the river delta where the river is more than 18 inches deep at the time of trash collection.	Please see 3-1.6 response
3-7.6	Ventura County Watershed Protection		The responsible parties may have limited jurisdiction or authority to access the Ventura River Estuary. Additionally, Cities may not have the local authority to spend resources to clean up areas outside of the City limits, and the County has limited regulatory	Please see 3-1.7 response

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	District		authority over private property holders within unincorporated areas. We suggest that language acknowledging these limitations and ensuring that compliance is achieved if the MFAC program is implemented in the areas for which the responsible parties have authority. Suggested changes are included on pages 20	
3-7.7	Ventura County Watershed Protection District		<p>While we recognize that the estuary will benefit from trash cleanup events, we believe such frequent cleanup is unwarranted. Instead, the stakeholders propose that minimum trash collection frequency for the MFAC program implementation be as follows:</p> <ul style="list-style-type: none"> a. Once per month for the sandy beach area between the estuary and the ocean b. Within one week after each storm event with one inch of rain or greater at the Front Street storm drain, which discharges under the eastern levee, 50 feet north of the railroad tracks. c. Quarterly for other areas of the estuary. 	Please see 3-1.8 response
3-7.8	Ventura County Watershed Protection District		<p>In addition, responsible jurisdictions should be authorized to modify the above schedule based upon future assessments of the effectiveness of MFAC programs and the trash problem itself. Suggested language has been added to the Underline/Strikeout Draft Staff Report, to clarify that a jurisdictions may resubmit the Trash Monitoring and Reporting Plan to (1) request a change to the proposed trash collection frequency and strategy, (2) implement strategies with emphasis on problem areas, (3) change to the trash metric(s), and (4) other areas upon request, including trash reduction strategies after major rain events. This language is intended to authorize jurisdictions to focus trash cleanup efforts on problem areas after careful program analysis.</p>	Please see 3-1.9 response
3-7.9	Ventura		The stakeholders would like to request that if a MFAC program	Please see 3-1.10 response

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	County Watershed Protection District		is the chosen implementation program, that the program be implemented solely through the conditional waiver and not an NPDES permit.	
3-7-10	Ventura County Watershed Protection District		The Staff Report is unclear on the responsibilities of the agricultural land owners in regard to MFAC programs and baseline application and as to whether the trash TMDL will be enforced through the existing Conditional Waiver for Irrigated Agriculture or through a new Conditional Waiver. The current language is inconsistent as to whether the Calabasas derived baseline applies to agricultural landowners, although it is clear they are not exempt from MFAC program implementation. To clarify these issues, the Underline/Strikeout Draft Staff Report and Tentative BPA include suggested language stating that a baseline determination will apply separately as part of the existing Conditional Waiver for Irrigated Agriculture.	Please see 3-1.11 response
3-7-11	Ventura County Watershed Protection District		The Staff Report requires an enhanced MFAC program or implementation of structural or nonstructural BMPs if trash assessments do not meet the specified milestones (10%, 30%, and 50% reductions from baseline in program years one, two, and three). The language is unclear and could result in requirements that are not consistent with the implementation program being pursued by the responsible parties. Suggested edits to this language are provided in the Draft Staff Report so that if any of the milestones are not met, the responsible jurisdiction will respond by making program improvements. We believe given the safeguards built into the Executive Officer's discretion over program shortfalls, this response should be adequate.	Please see 3-1.12 response
3-7-12	Ventura County		This comment is intended to address the apparent paradox in the Staff Report, which, while stating that MFAC programs are an	Please see 3-1.13 response

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	Watershed Protection District		“alternative” for point sources (along with a full capture program), nonetheless requires MFAC programs for jurisdictions that have nonpoint sources. Thus, jurisdictions that have both point and nonpoint sources do not have the option not to implement an MFAC program. In order for the MFAC program to be a true “alternative” to a full capture program, parties that implement a full capture system should not be required to also implement an MFAC program. Therefore, we request compliance with a full capture program suffice for nonpoint contributions as well as point sources.	
3-7.13	Ventura County Watershed Protection District		Table 7-25.1 in the Tentative Basin Plan Amendment authorizes responsible jurisdictions to comply with Waste Load Allocations by progressively implementing full capture systems on storm drains. Point sources that comply using this option must demonstrate a phased reduction from the baseline over an eight-year period. The responsible jurisdictions do not see the need to demonstrate a phased reduction from the trash baseline. Because the final WLA of “zero” can be achieved by installing full capture systems on all storm drains discharging to the estuary, the responsible jurisdictions would prefer that compliance with phased reductions be met solely by demonstrating an agreed upon phase-in of full capture systems until all subject storm drains are retrofitted. [For example, as a preliminary proposal, the cities propose to retrofit 20%...etc.].	Please see 3-1.14 response
3-7.14	Ventura County Watershed Protection District		Based on site visits by stake holders and Regional Board staff on April 20, 2007, we suggest modifying the description of the Ventura estuary by placing the estuary’s northern boundary at the U.S. 101 Freeway overpass in the City of San Buenaventura instead of the Main Street bridge	Please see 3-1.15 response
3-7.15	Ventura County		We note Department of Food and Agriculture is named in Table 8 “Nonpoint Source Responsible Jurisdiction – Ventura River	Please see 3-1.16 response

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	Watershed Protection District		Estuary” as a responsible jurisdiction, but should also be added as a point source.	
3-7-16	Ventura County Watershed Protection District		The source analysis included in the Draft Staff Report is incomplete and does not accurately represent the sources to the Ventura River Estuary. Additional information has been provided to make the source analysis accurate for the Estuary.	Please see 3-1.17 response
3-7-17	Ventura County Watershed Protection District		The cost determination in Section 12, Cost Considerations is unclear. This section inappropriately references Revolon Slough and Beardsley Wash. In addition, it is unclear to what the annualized costs apply. The referenced 759 catch basins appears to apply to the Calleguas Creek subwatersheds, and it is unclear how the annualized capital costs were determined. We request that this section be clarified and updated to correctly represent the Ventura River Estuary.	Please see 3-1.18 response
3-7-18	Ventura County Watershed Protection District		The parties disagree with the cost estimate on page 42 of the Staff Report for MFAC program implementation. The estimate assumes a single person can complete trash assessment and collection in four hours. Initial monitoring and assessment conducted in the three waterbodies required three to four hours with two people to pick up all trash found in a 100 foot stretch of the waterbodies. The shoreline of the Ventura River Estuary encompasses at least 2890 feet. As a result, the cost estimate is not sufficient to represent the actual costs of implementing the MFAC program as written in the TMDL. A reduced frequency of monitoring has been included in the Underline/Strikeout versions of the documents and the cost analysis has been updated in the revised documents to represent the suggested revised monitoring frequency.	Please see 3-1.19 response
3-7-19	Ventura		The TMDL contains many references to lakes and Los Angeles	Please see 3-1.20 response

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	County Watershed Protection District		County responsible parties, inconsistencies, and unclear definitions. The Underline/Strikeout versions of the documents provide suggestions for these inconsistencies and definition clarifications.	
3-7.20	Ventura County Watershed Protection District		The Draft Staff Report should consistently state that MFAC programs are available as a compliance option for point sources. The Draft Staff Report is internally inconsistent on this point, as well as inconsistent with the Tentative BPA. Language in the Draft Staff Report suggests that MFAC programs may be implemented only to satisfy nonpoint source obligations. (See Sections VI, second paragraph, as well as Section IX on page 21). In contrast, language on page 2 of the public hearing notice and the Tentative BPA, as well as language on page 20, page 23, Figure 4, and Table 10 in the Draft Staff Report indicate MFAC programs can be implemented to meet the TMDL’s declining allocations for point sources. The responsible jurisdictions request that the Draft Staff Report be revised to consistently state that the MFAC program is an implementation option for point sources.	Please see 3-1.21 response
3-7.21	Ventura County Watershed Protection District		The Staff Report defines the term “collection” as “twice per week and after periods of high visitation during weekends and holidays from May 15 to October 15. (See pages 23, 25, and 36). Table 7-25.1 in the draft amended Basin Plan uses similar language, but includes “during and after weekends...” (emphasis added). Unlike lakes, Revolon Slough, Beardsley Wash, and the Ventura River Estuary do not have periods of high visitation. Requirements for additional cleanups during periods of high visitation should be removed.	Please see 3-1.22 response
3-7.22	Ventura County Watershed		The staff report’s use of the terms Baseline Waste Load Allocation and Baseline Load Allocation is confusing. The term is used to describe the initial baseline based on the Calabasas	Please see 3-1.23 response

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	Protection District		research or any revised baseline founded on the results of the “Trash Monitoring and Reporting Plan.” The confusion arises because the term is capitalized in the staff report and is defined in Appendix A (for WLAs) in terms of existing data (i.e. the Calabasas study) and includes the word “Allocation.” The stakeholders request that the language be changed to “Trash Baseline” to clarify the distinction between allocations and the baseline.	
3-7.23	Ventura County Watershed Protection District		The word “summer” should be removed from page 42 of the Staff Report. April, May, the first two thirds of June, and the last third of September do not occur in the “summer.”	Please see 3-1.24 response
3-7.24	Ventura County Watershed Protection District		Definitions for the term “collection” under an MFAC program should be consistent throughout the Staff Report and the Basin Plan for both point and nonpoint sources. Language on page 23 of the Staff Report defines the term for point sources as “removing 100% of trash found at the estuary...” (emphasis added). In contrast, language on page 25 defines the term for nonpoint sources as “picking up 100% of trash...” Similarly, language in the proposed amended Basin Plan describes an MFAC program as including “pickup of all visible trash in the water and on the shoreline.” (Table 7-25.1, emphasis added). We request the Regional Board consider the heavy burden and liability in having to remove 100% of all “visible” trash during collection events because even very small particles of trash must be removed under the definition of the term “trash.” We note that trash particles as small as five millimeters are considered trash for the purpose of the full capture system’s efficiency requirements and can be considered “visible” under the right circumstances. In addition, the term “visible trash” is vague and subject to interpretation, which the responsible jurisdictions	Please see 3-1.25 response

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			would prefer to avoid.	