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September 9, 2010

Mr. Sam Unger, Executive Officer
California Regional Water Quality Control Board
Los Angeles Region
320 West 4th Street
Los Angeles, CA 90013

Attention: Eric Wu and Stephanie Hada

Dear Mr. Unger:

COMMENTS ON THE PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD FOR DEBRIS IN THE NEARSHORE AND OFFSHORE OF THE SANTA MONICA BAY

The City of Los Angeles, Bureau of Sanitation (City) appreciates the opportunity to provide the following comments and recommendations to the Water Quality Control Board Los Angeles Region (Regional Board) on the Tentative Basin Plan Amendment to incorporate a Total Maximum Daily Load (TMDL) for Debris in the Nearshore and Offshore of the Santa Monica Bay (Debris TMDL). As an active participant in the Los Angeles River, Ballona Creek, and Machado Lake Trash TMDL efforts, the City has shown its commitment to addressing trash and debris entering jurisdictional waters. While committed to this task, the City has identified two primary concerns with the Debris TMDL. Firstly, the City is concerned with the approach utilized in the Debris TMDL to address certain issues related to plastic pellets, and secondly, the application of the Debris TMDL to areas currently addressed by EPA approved Trash TMDLs. The following letter summarizes these two primary concerns. Additional comments are presented in the attached comment matrix.



Addressing Plastic Pellets

The City of LA has continually supported both local and state wide efforts addressing plastic pellets entering the environment. The City supported the passage of AB 258 (Krekorian), approved by the Governor on October 14, 2007, requiring the State Coastal Commission to implement a statewide marine debris reduction effort in order to control the discharges of plastic. AB 258 also required the State Board and Regional Boards to implement a program for the control of discharges of preproduction plastics from point and nonpoint sources, including waste discharge monitoring, and reporting requirements that target plastic manufacturing, handling, and transportation facilities. Plastic pellets are starting material that industries use to produce various plastic products such as pens, containers for food and beverages, toys, and other plastic products. Industries that manufacture and process the starting material, herein called plastic pellets are responsible for the proper transportation, use, and disposal of the starting material and its by-products and as such should be regulated through the industrial permits directly by the Regional Board. What constitute trash are the end products consumed by people, once discarded and disposed of in the environment. Therefore the City believes that the Debris TMDL should be revised and all requirements including monitoring, reporting, and spill response related to plastic pellets be assigned to the appropriate industrial sources.

Numerous studies have identified the need to address plastic pellets at the industrial sources. The Algalita Marine Research Foundation (AMRF) was granted \$482,183 by the California State Water Resources Control Board and California Coastal Commission Research Foundation to conduct a pilot project, researching industrial sites and non-point sources responsible for adding plastic debris to the Los Angeles and San Gabriel Rivers' watersheds. In this study, sites on industrial facilities were sampled before and after the implementation of best management practices (BMPs). In addition, some storm drains discharging from manufacturer's sites were sampled. The result of the study showed that sites visited after BMPs had been implemented had notably less plastic pellets in their discharge than those visited before the BMPs were installed. This study supports controlling the pellet at the source (plastic facilities) is the most efficient way of eliminating the pellets and is the responsibility of the plastic manufacturers not the local jurisdictions. Additionally, the project tested the effectiveness of current industry-generated BMPs, known as *Operation Clean Sweep*, to control discharges of plastic debris through urban runoff from the plastics manufacturing sector. Based on this assessment, the project is developing an Action Plan for the State of California.

The Southern California Coastal Water Research Project (SCCWRP) conducted studies addressing how wide spread the problem of plastic pellets is, what the distribution of the such materials (at what areas are they found in higher numbers), and how much pellets are mobilized after rain events. The summary of studies indicates that beaches close to the manufacturers and distributors of plastic pellets were found to have more pellets. Once again, the study shows that the sources can be identified, isolated based on the facilities locations and subsequently most effectively addressed through establishment of BMPs and corrective measures at the industrial facilities.

The results of these studies points to the need to place measures in place at plastic facilities to comply with the zero discharge requirements of a zero Wasteload Allocation. These industrial dischargers should be held responsible for all actions including monitoring and spill response. The requirements as well as the measures that the industrial facilities must have in place to minimize accidental spills through transportation or on their premises and subsequent actions if a spill were to occur should be clearly specified in the relevant industrial permits. The cities and other MS4 jurisdictions should not be held responsible for monitoring and reporting of plastic pellets.

REQUEST: The City requests that the Debris TMDL be revised and all requirements related to plastic pellets be assigned to the appropriate industrial sources.

Plastic Pellet Monitoring and Reporting Requirements

The City is concerned with the current Debris TMDL requirements pertaining to addressing and monitoring plastic pellets. As proposed, the Debris TMDL would require MS4 permittees, including the City, to develop and implement a “Plastic Pellet Monitoring and Reporting Plan” (PMRP). This requirement would unfairly and unnecessarily shift the responsibility for determining compliance with Wasteload Allocations (WLAs) from industrial dischargers to local government. Under Proposition 218, local governments do not have the authority to increase stormwater program revenues to cover the additional costs of a specialized plastic pellet monitoring program. The City and other MS4 agencies have spent millions of dollars to implement previous trash TMDLs. The plastic pellet requirements contained in the Debris TMDL are very different; however, while “trash” generically can be generated by residents and visitors to the City, the plastic pellets are very specifically linked to discrete industrial sources.

The Debris TMDL establishes a target of zero for plastic pellets and appropriately identifies specified categories of industrial dischargers as the principle source of plastic pellets. The Debris TMDL then assigns a WLA of zero to these dischargers. When the Debris TMDL is implemented, the sources of plastic pellets that are subject to WLAs should be required to conduct monitoring and reporting to verify compliance with the zero discharge allocation. Given that the target is zero, compliance monitoring by the regulated sources will be adequate to determine whether the water body is in compliance with target, since the presence of any quantity of plastic pellets in the discharge would exceed the target. Thus, the obligation to conduct the PMRP should be placed on the sources regulated by the Debris TMDL and not on the stormwater agencies that do not produce, distribute, transport or discharge the pellets.

Federal regulations require a direct and proportionate link between the monitoring requirements imposed on a discharger and its compliance obligations. (See 40 C.F.R. §§ 122.41(j)(1), 122.44(i), 122.48.) In addition, while the Water Code authorizes regional water quality control boards to require individual dischargers to investigate water quality and submit monitoring reports, the statute provides that “the burden, *including costs*, of [monitoring] reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports.” (Wat. Code, § 13267(b)(1), *emphasis added*.) The information needed to determine effectiveness of the TMDL can and should be obtained from those generating the pollutants, and

thus the imposition of a new monitoring requirement on local government is not reasonably related to the need for the information.

REQUEST: The City requests that the Regional Board revise the Debris TMDL so all requirements related to plastic pellets are assigned to the appropriate industrial sources.

Overlapping TMDL Requirements

The City has been actively implementing both the Los Angeles River and Ballona Creek Trash TMDLs, and is currently well ahead of the required implementation goals outlined in the respective TMDL BPAs. While acknowledging the Ballona Creek efforts in the Debris TMDL, the City believes that the language must be revised to ensure that responsible MS4 parties that are on schedule and meeting regulatory milestones for existing trash TMDLs are in compliance with the Debris TMDL. The City is concerned that the Debris TMDL will require extra and unnecessary efforts and resources for the Ballona Creek watershed which is already addressed by an existing EPA approved trash TMDL. The current Debris TMDL would require the City and other MS4 jurisdictions to modify numerous existing procedures and programs that have been working both effectively and efficiently to meet current TMDL requirements. The Debris TMDL would require the City to modify the current Regional Board approved Trash Monitoring and Reporting Program (TMRP) to include various components listed in the Monitoring and Reporting Plan section of the Debris TMDL. The City does not believe these requirements are either necessary or fiscally responsible at this time. The City has already completed most of the tasks for the Ballona Creek Trash TMDL and it is not clear why two separate TMRPs, baselines, areas for prioritization, and rain definitions would be necessary. The City strongly believes that the Debris TMDL language should be revised to remove any duplicative requirements for watersheds already implementing actions to control trash via EPA approved trash TMDLs. These revisions should clearly state that responsible parties are deemed in compliance with the Debris TMDL if meeting all current trash TMDL requirements and not be held responsible for any additional and/or duplicative monitoring or reporting requirements. By not revising the Debris TMDL BPA language, the City believes the duplicative nature of the Debris TMDL will create confusion not only with required actions, but also create an extremely confusing regulatory paradigm when milestones and regulatory deadlines are already reached.

REQUEST: The City requests that the following language to be included on page 12 of the Debris TMDL BPA, to be inserted under the first paragraph in the Monitoring and Reporting Plan:

Responsible agencies and jurisdictions that have developed a Regional Board Approved TMRP for the Ballona Creek Trash TMDL shall not be required to submit a TMRP for areas already being addressed by BC Trash TMDL in the Santa Monica Bay WMA if currently meeting all compliance requirements.

MFAC Requirements

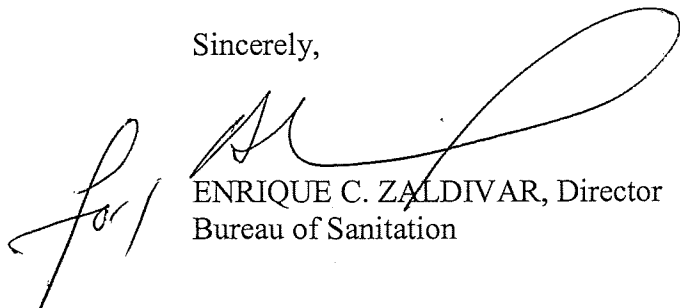
The beaches of southern California (boardwalk to the water level) are owned by the State of California and operated by the Los Angeles County Department of Beaches and Harbors. The City only has jurisdiction over the boardwalk and the facilities (not the beach) to the west of the boardwalk, which can result in nonpoint sources of trash. To address these nonpoint sources, the City currently cleans the board walk and associated facilities daily. As such, the City is meeting the conditional frequency of the MFAC and requiring cleanup and/or evaluation at dusk, which would not be consistent with our current maintenance procedures, will result in the City incurring additional costs without commiserate benefits.

REQUEST: The City requests that the Regional Board 1) clearly identifies the Los Angeles County Department of Beaches and Harbors as the entity responsible for MFAC requirements at the beaches adjacent to the Venice Beach area and 2) revise the requirement to do daily cleaning at dusk to simply doing daily cleaning.

A more detailed discussion of these issues, corresponding recommendations, and additional comments are included in the detailed Comment Matrix in Attachment 1. Attachment 2 contains a map that details the locations of industrial facilities in the Santa Monica Bay watershed.

Thank you for your consideration of these comments. If there any questions, please feel free to call Donna Toy-Chen, TMDL Section Manager at (213) 485-7954 or Shokoufe Marashi, Staff lead on this TMDL at (213) 485-3937.

Sincerely,



ENRIQUE C. ZALDIVAR, Director
Bureau of Sanitation

ECZ:AH:SK
WPDCR 8774

Enclosures: 1. Bureau of Sanitation's Detailed Comment Matrix
2. Map of Plastic Pellets Facilities

cc: Deborah J. Smith, Regional Water Quality Control Board
Eric Wu, California Regional Water Quality Control Board – Los Angeles Region
Stephanie Hada, California Regional Water Quality Control Board – Los Angeles Region
Michael Mullin, Mayor's Office
Dave Attaway, Recreation & Parks
Michael Shull, Recreation & Parks
Traci Minamide, Bureau of Sanitation/EXEC
Varouj S Abkian, Bureau of Sanitation/EXEC
Adel Hagekhalil, Bureau of Sanitation/EXEC
Alex Helou, Bureau of Sanitation/EXEC
Shahram Kharaghani, Bureau of Sanitation/WPD
Mas Dojiri, Bureau of Sanitation/EMD
Omar Moghaddam, Bureau of Sanitation/RAD

ATTACHMENT I **Santa Monica Near shore and Offshore Debris Comment Matrix**

Comment Number	Document Reference (Page #, Section, etc)	Issue	Comment
1.	Staff Report and Basin Plan Amendment (BPA)	AB 258, two special studies on Plastic Pellets	Plastic Pellets The City of LA has continually supported both local and state wide efforts addressing plastic pellets entering the environment. The City supported the passage of AB 258 (Krekorian), approved by the Governor on October 14, 2007, requiring the State Coastal Commission to implement a statewide marine debris reduction effort in order to control the discharges of plastic. AB 258 also required the State Board and Regional Boards to implement a program for the control of discharges of preproduction plastics from point and nonpoint sources, including waste discharge monitoring, and reporting requirements that target plastic manufacturing, handling, and transportation facilities. Plastic pellets are starting material that industries use to produce various plastic products such as pens, containers for food and beverages, toys, and other plastic products. Industries that manufacture and process the starting material, herein called plastic pellets, are responsible for the proper transportation, use, and disposal of the starting material and its by-products and as such should be regulated through the industrial permits directly by the Regional Board. What constitute trash is the end products consumed by people, once discarded and disposed of in the environment. Therefore the City believes that the Debris TMDL should be revised and all requirements related to plastic pellets be assigned to the appropriate industrial sources. Numerous studies have identified the need to address plastic pellets at the industrial sources. The Algalita Marine Research Foundation (AMRF) was granted \$482,183 by the California State Water Resources Control Board and California Coastal Commission Research Foundation to conduct a pilot project, researching industrial sites and non-point sources responsible for adding plastic debris to the Los Angeles and San Gabriel Rivers' watersheds. In this study, sites on industrial facilities were sampled before and after the implementation of best management practices (BMPs). In addition, some storm drains discharging from manufacturer's sites were sampled. The result of the study showed that sites visited after BMPs had been implemented had notably less plastic pellets in their discharge than those visited before the BMPs were installed. This study supports controlling the pellets at the source (plastic facilities) is indeed the most efficient way of eliminating the pellets and is the responsibility of the plastic manufacturers not the local jurisdictions. Additionally, the project tested the effectiveness of current industry-generated BMPs, known as <i>Operation Clean Sweep</i>, to control discharges of plastic debris through urban runoff from the plastics manufacturing sector. Based on this assessment, the project is developing an Action Plan for the state of California. The Southern California Coastal Water Research Project (SCCWRP) conducted studies addressing how wide spread the problem of plastic pellets is, what the distribution of the such materials (at what areas are they found in higher numbers), and how much pellets are mobilized after rain events. The summary of studies indicates that beaches close to the manufacturers that had higher visitation rates were found to have more pellets. Once again, the study shows that the sources can be identified, isolated based on the facilities locations and subsequently most effectively addressed through establishment of BMPs and corrective measures at the industrial facilities. The results of these studies points to the need to place measures in place at plastic facilities to comply with the zero discharge requirements of a zero Wasteload Allocation. These industrial dischargers should be held responsible for all actions including monitoring and spill response. The requirements as well as the measure the industrial facilities must have in place to minimize accidental spills through transportation or on their premises and subsequent actions if a spill were to occur should be clearly specified in the relevant industrial permits. The cities and other MS4 jurisdictions should not be held responsible for monitoring and reporting of plastic pellets.

ATTACHMENT I **Santa Monica Near shore and Offshore Debris Comment Matrix**

			As such, the City requests that the Debris TMDL be revised and all requirements related to plastic pellets be assigned to the appropriate industrial sources.
2.	Staff Report and BPA	Compliance with plastic pellets is the responsibility of industrial permittees	The City is concerned with the current Debris TMDL requirements pertaining to addressing and monitoring plastic pellets. As proposed, the Debris TMDL would require MS4 permittees, including the City, to develop and implement a "Plastic Pellet Monitoring and Reporting Plan" (PMRP). This requirement would unfairly and unnecessarily shift the responsibility for determining compliance with Wasteload Allocations (WLAs) from industrial dischargers to local government. Under Proposition 218, local governments do not have the authority to increase stormwater program revenues to cover the additional costs of a specialized plastic pellet monitoring program. The City and other MS4 agencies have spent millions of dollars to implement previous trash TMDLs. The plastic pellet requirements contained in the Debris TMDL are very different; however, while "trash" generically can be generated by residents and visitors to the City, the plastic pellets are very specifically linked to discrete industrial sources. The Debris TMDL establishes a target of zero for plastic pellets and appropriately identifies specified categories of industrial dischargers as the principle source of plastic pellets. The Debris TMDL then assigns a WLA of zero to these dischargers. When the Debris TMDL is implemented, the sources of plastic pellets that are subject to WLAs should be required to conduct monitoring and reporting to verify compliance with the zero discharge allocation. Given that the target is zero, compliance monitoring by the regulated sources will be adequate to determine whether the water body is in compliance with target, since the presence of any quantity of plastic pellets in the discharge would exceed the target. Thus, the obligation to conduct the PMRP should be placed on the sources regulated by the Debris TMDL and not on the stormwater agencies that do not produce, distribute, transport or discharge the pellets. Federal regulations require a direct and proportionate link between the monitoring requirements imposed on a discharger and its compliance obligations. (See 40 C.F.R. §§ 122.41(j)(1), 122.44(i), 122.48.) In addition, while the Water Code authorizes regional water quality control boards to require individual dischargers to investigate water quality and submit monitoring reports, the statute provides that "the burden, including costs, of [monitoring] reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports." (Wat. Code, § 13267(b)(1), emphasis added.) The information needed to determine effectiveness of the TMDL can and should be obtained from those generating the pollutants, and thus the imposition of a new monitoring requirement on local government is not reasonably related to the need for the information. For these reasons, the City requests that the Regional Board revise the Debris TMDL so all requirements related to plastic pellets be assigned to the appropriate industrial sources.
3.	BPA - page 13, Monitoring and Reporting	Standardized monitoring approach for plastic pellets	The City recommends that the Regional Board work with SCCWRP to develop standardized methodologies and procedures to support responsible industries develop efficient and effective monitoring programs to assess their compliance with the plastic pellet WLAs.
4.	Staff Report and BPA	Watershed exemptions with no plastic pellet facilities	It is appropriate to exempt jurisdictions or watersheds that do not have manufacturer or end user or handlers of plastic pellets within their jurisdictional area from monitoring requirements for plastic pellets including the development of the PMRP. Notwithstanding the previous comments related to removing such requirements, the City recommends that exemption language be included in the Debris TMDL BPA to ensure that jurisdictions that do not have manufactures or end user handlers of plastic pellets in their area not be burdened with this requirement.
5.	Staff Report and BPA	Clarification of regulatory oversight	Facilities associated with plastic pellets SIC Codes are the point source and operate under an industrial permit. According to the Debris TMDL staff report, they will be required to comply with the Statewide Industrial Permit, which would require them to prepare and keep onsite a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP requires these facilities for spill prevention and response,

ATTACHMENT I **Santa Monica Near shore and Offshore Debris Comment Matrix**

			structural and institution BMPs. These are State requirements and the all regions of the State should remain as the oversight entity. The local jurisdictional agencies such as City of LA should act as a local regulator to ensure facilities comply with their State required prevention plans, etc. That means the local agencies should not be required for monitoring and reporting of plastic pellets. Instead the Industrial facilities are the responsible parties, as stated in the Debris TMDL BPA. The Debris TMDL BPA should be revised to strengthen the language to ensure this is the case that the State or Regional Board has regulatory oversight just as it would any other industrial discharger or facility.																														
6.	Staff Report and BPA	Spill response responsibilities	In the event of spill, again facilities/individual industrial permit holders, not the City or local jurisdiction, should be responsible for response plan including any necessary notifications to the State and local jurisdiction. The facilities' plan should include portable screen and covers for any and all catch basins within their premise during loading/unloading and shipment activities. All prevention and response plan should be the responsibility of the industrial users with direct oversight of the Regional Board. While this is generally stated in the Debris TMDL BPA, the City recommends clarifying the language to ensure that it is clearly stated that the facilities are responsible for the above actions and not the City or local jurisdictions and the Regional Board has direct oversight of these industrial facilities.																														
7.	Staff Report and BPA	Identification of facilities for plastic pellet provisions	As stated in the previous comments, the City believes it is most appropriate to address plastic pellets at the source facilities and not via the current Debris TMDL approach. In order to make a preliminary assessment of the implication of this TMDL and its impact on the City with regard to plastic pellet requirements, all specific SIC codes associated with this industry were obtained from the Regional Board, and a search of all facilities with such SIC codes was requested from Industrial Waste Management Division (IWMD) permittees data base. Listed in the table below is the City's industrial users that are involved in activities or processes associated with each of the SIC codes related to plastics. As shown, a total of 171 facilities within the City may be subject to plastic pellet requirements of the Debris TMDL. Additionally, the City plotted these facilities on a GIS map further shows, of the 171 facilities, 21 are located within the Ballona Creek drainage watershed and none within the Santa Monica Bay watershed. At this time, the City is willing to assist Regional Board staff with the identification of the appropriate facilities for the proposed plastic pellet provisions. <table><tr><th>SIC</th><th>Description</th><th>Sub-Total</th></tr><tr><td>2673</td><td>Plastics, Foil, and Coated paper bags</td><td>9</td></tr><tr><td>2871</td><td>Not defined</td><td>0</td></tr><tr><td>3081</td><td>Unsupported Plastics Film and sheet</td><td>4</td></tr><tr><td>3082</td><td>Unsupported Plastics profile shapes</td><td>1</td></tr><tr><td>3085</td><td>Plastics Bottle</td><td>2</td></tr><tr><td>3086</td><td>Plastics Foam products</td><td>6</td></tr><tr><td>3087</td><td>Custom Compounding of purchased Plastics Resins</td><td>13</td></tr><tr><td>3089</td><td>Plastics Products, not elsewhere classified</td><td>136</td></tr><tr><td>Total</td><td></td><td>171</td></tr></table>	SIC	Description	Sub-Total	2673	Plastics, Foil, and Coated paper bags	9	2871	Not defined	0	3081	Unsupported Plastics Film and sheet	4	3082	Unsupported Plastics profile shapes	1	3085	Plastics Bottle	2	3086	Plastics Foam products	6	3087	Custom Compounding of purchased Plastics Resins	13	3089	Plastics Products, not elsewhere classified	136	Total		171
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Total		171																															
Marine Debris TMDL																																	
8.	Staff Report and BPA page 12	Conflicting and duplicative regulatory requirements	The City has been actively implementing both the Los Angeles River and Ballona Creek Trash TMDLs, and is currently well ahead of the required implementation goals outlined in the respective TMDL BPAs. While acknowledging the Ballona Creek efforts in the Debris TMDL, the City believes that the language must be revised to ensure that responsible MS4 parties that are on schedule and meeting regulatory milestones for existing trash TMDLs are in compliance with the Debris TMDL. The City is concerned that the																														

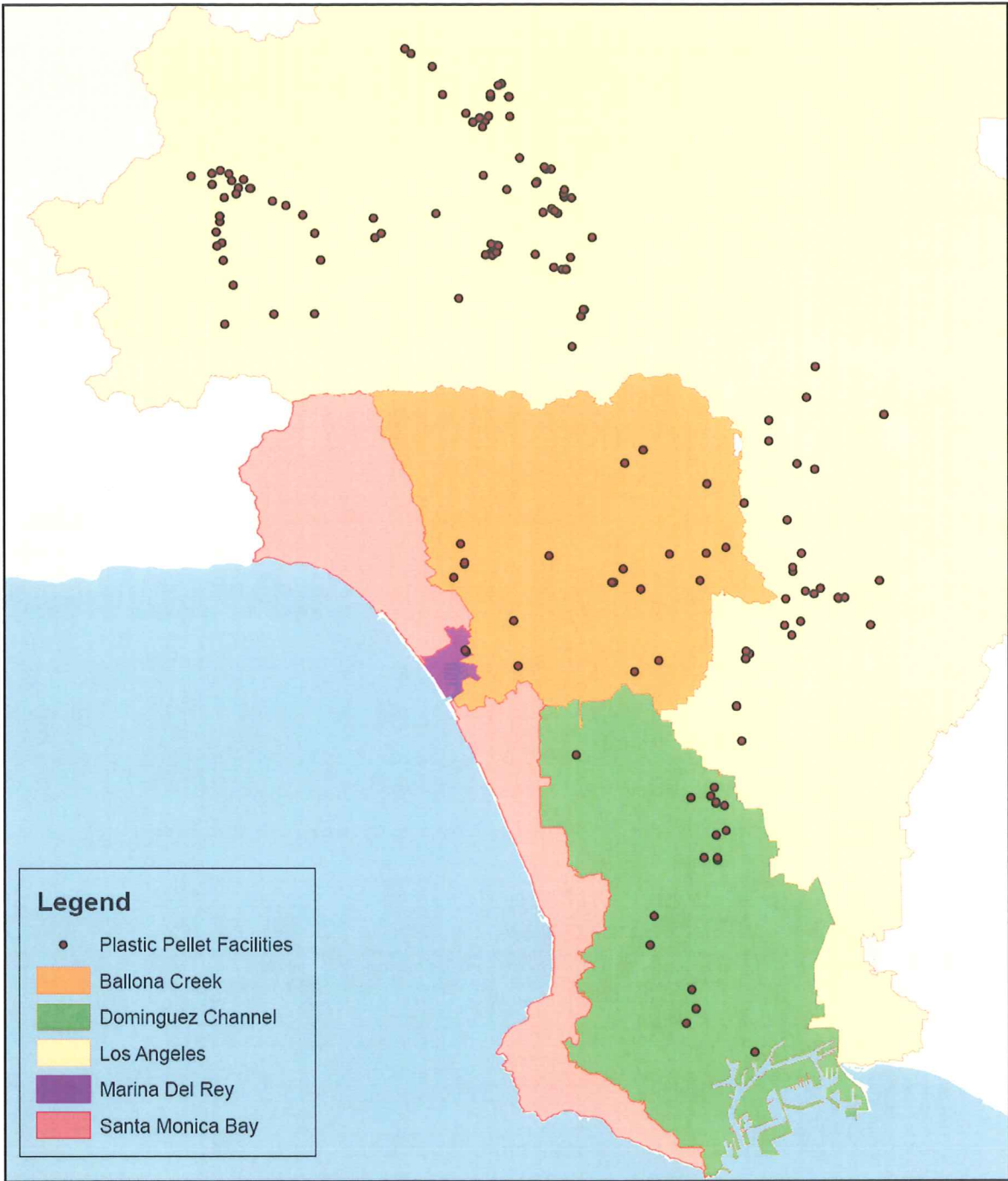
ATTACHMENT I **Santa Monica Near shore and Offshore Debris Comment Matrix**

		Debris TMDL will require extra and unnecessary efforts and resources for the Ballona Creek watershed which is already addressed by an existing EPA approved trash TMDL. The current Debris TMDL would require the City and other MS4 jurisdictions to modify numerous existing procedures and programs that have been working both effectively and efficiently to meet current TMDL requirements. The Debris TMDL would require the City to modify the current Regional Board approved Trash Monitoring and Reporting Program (TMRP) to include various components listed in the Monitoring and Reporting Plan section of the Debris TMDL. The City does not believe these requirements are either necessary or fiscally responsible at this time. The City has already completed most of the tasks for the Ballona Creek Trash TMDL and it is not clear why two separate TMRPs, baselines, areas for prioritization, and rain definitions would be necessary. The City strongly believes that the Debris TMDL language should be revised to remove any duplicative requirements for watersheds already implementing actions to control trash via EPA approved trash TMDLs. These revisions should clearly state that implementing responsible parties are deemed in compliance with the Debris TMDL if meeting all current trash TMDL requirements and not be held responsible for any additional and/or duplicative monitoring or reporting requirements. The City requests that the following language to be included on page 12 of the Debris TMDL BPA, to be inserted under the first paragraph in the Monitoring and Reporting Plan: <i>Responsible agencies and jurisdictions that have developed a Regional Board Approved TMRP for the Ballona Creek Trash TMDL shall not be required to submit a TMRP for areas already being addressed by BC Trash TMDL in the Santa Monica Bay WMA if currently meeting all compliance requirements.</i> By not revising the Debris TMDL BPA language, the City believes the duplicative nature of the Debris TMDL will create confusion not only with required actions, but also create an extremely confusing regulatory paradigm when milestones and regulatory deadlines are reached.
9.	Staff Report, page 42 A.1.1, BPA page 12	TMRP The Trash Monitoring and Reporting Plan (TMRP) for MS4 permittees is an unnecessary requirement. Almost all jurisdictions along the Santa Monica Bay including the City of Los Angeles have implemented a year-round dry weather flow diversion at all major storm drain outfalls (MS4). That means zero trash discharge into the SMB during dry weather. During wet weather events, the trash assessment is already being reported through the Ballona Creek Trash TMDL requirements. According to the Debris TMDL staff report "the amount of trash discharged to the SMB by an area serviced by a full capture system will be considered to be in compliance with the final WLA for the drainage area." The City has installed full capture devices, including catch basin inserts in high trash areas of Ballona Creek Watershed, and is in compliance with this requirement of the Ballona Creek Trash TMDL. By implementing the requirements of the Ballona Creek Trash TMDL, the City believes it is in full compliance with the MS4 portion of the Debris TMDL. The City recommends that based on this information and the previous comment that developing and implementing a separate TMRP would create confusion and duplicative efforts in the same watershed and hence is not necessary. The City requests that this requirement be deleted from the Debris TMDL BPA or the language revised per the previous comment.
10.	Staff Report page 41 paragraph 4, and BPA page 13	TMRP requirements The Debris TMDL BPA TMRP proposes trash monitoring including using a metric to measure the amount of trash in the storm drains. The previously approved Trash TMDLs, including the LA River and Ballona Creek, did not include this as a requirement if addressing the trash impairment via a full capture approach. Additionally, the Machado Lake Trash TMDL TMRP for the City is conditional and not required if full capture devices are implemented. Further, the Machado Lake Trash TMDL did not include a metric component. Likewise, we believe that a TMRP is not needed for this TMDL particularly that the City is ahead of schedule with respect to compliance with the currently approved Trash TMDLs. As stated in previous comments, the City believes that the need to modify the current approved Ballona Creek TMRP is unnecessary or fiscally responsible at this time.
11.	Staff Report, page 23, III, and BPA, page 3	Source Analysis "Along the West Coast, land-based debris comprises more than half of the debris observed in the marine environment, undetermined sources of debris comprise less than half of the debris and ocean-based debris comprises one tenth of the debris". Please indicate how these sources including land-based, undetermined sources, and ocean based debris are quantified. Please give a reference to

ATTACHMENT I
Santa Monica Near shore and Offshore Debris Comment Matrix

			the study or document that was used for this purpose.
12.	Staff Report pages 47 and 48, and BPA page 9	MFAC daily requirements	The beaches of southern California (board walk to the water level) is owned by The State of California and operated by the La County Beaches and Harbors. The City of LA has only jurisdiction over board walk and the facilities (not the beach) to the west of the board walk, which can result in nonpoint sources of trash. To address these nonpoint sources, the City currently cleans the board walk and associated facilities daily. As such, The City is meeting the conditional frequency of the MFAC and requiring cleanup and/or evaluation at dusk, which would not be consistent with our current maintenance procedures, will result in the City incurring additional costs without commiserate benefits. The City requests that the Regional Board 1) clearly identifies the Los Angeles County Department of beaches and Harbors as the entity responsible for MFAC requirements at the beaches adjacent to the Venice Beach area and 2) revise the requirement to do daily cleaning at dusk to simply doing daily cleaning.

ATTACHMENT II **MAP OF THE PLASTIC PELLETS FACILITIES**





CITY OF LOS ANGELES
FOUNDED 1781
BUREAU OF SANITATION

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DEPARTMENT OF PUBLIC WORKS

ENRIQUE C. ZALDIVAR DIRECTOR		SHAHRAM KHARAGHANI PROGRAM MANAGER	
FILED: 3 Projects/ LA City Grid Drainage Grid	DRAWN BY: CF	CHECKED BY: AG	DATE 06/22/07
		DATE REVISED	



WATERSHED
SUSTAINABLE DEVELOPMENT

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