

Public Comment  
**Machado Lake TMDL**  
Deadline: 11/1/07 by 12 p.m.

Public Comment **TMDL**  
**Revolon Slough/Beardsley**  
Deadline: 11/1/07 by 12 p.m.

Public Comment **TMDL**  
**Ventura River Estuary**  
Deadline: 11/1/07 by 12 p.m.



Heal the Bay

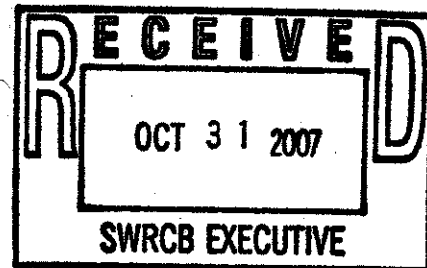
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Public Comment  
**Legg Lake TMDL**  
Deadline: 11/1/07 by 12 p.m.

Public Comment **TMDL**  
**Lake Elizabeth / Munz Lake**  
Deadline: 11/1/07 by 12 p.m.



October 31, 2007

Chairwoman Doduc and Board Members  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

**Re: Comments on Proposed Amendments to the Water Quality Control Plan to Incorporate Total Maximum Daily Loads to Reduce Trash in Legg Lake, Machado Lake, Ventura River Estuary, Lake Elizabeth, Munz Lake, Lake Hughes, Revolon Slough and Beardsley Wash**

Dear Chairwomen Doduc and Board Members:

On behalf of Heal the Bay we submit the following comments on the five proposed Amendments to the Water Quality Control Plan to Incorporate Total Maximum Daily Loads to Reduce Trash in Legg Lake, Machado Lake, Ventura River Estuary, Lake Elizabeth, Munz Lake, Lake Hughes, Revolon Slough and Beardsley Wash ("TMDLs" or "Trash TMDLs"). We appreciate the opportunity to provide comments.

Heal the Bay supports the TMDLs adopted by the Los Angeles Regional Water Quality Control Board on June 7, 2007 (Resolution Nos. R4-2007- 006, 007, 008, 009, and 010). We believe that implementation of these TMDLs will lead to water quality standards attainment.

In particular, we strongly support the Regional Board's requirement of zero trash discharge in the Trash TMDLs. The federal Clean Water Act requires states to establish TMDLs "...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."<sup>1</sup> 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.

In sum, we believe that implementation of this TMDL will lead to water quality standards attainment. We therefore urge the State Board to adopt the Resolution approving the TMDL.

<sup>1</sup> 40 C.F.R. Section 130.7(c)(1)



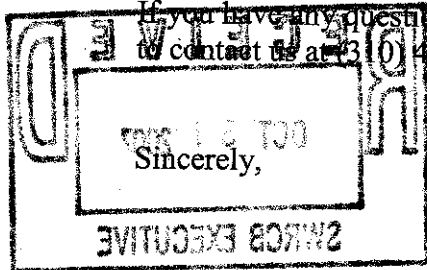
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If you have any questions or would like to discuss any of these comments, please feel free to contact us at 310 451-1500. Thank you for your consideration of these comments.



Kirsten James, MESM  
Water Quality Director  
Heal the Bay

Mark Gold, D. Env.  
President  
Heal the Bay