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August 4, 2014

Jeanine Townsend, Clerk of the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Comment Letter – Proposed Amendments to Statewide Water Quality Control Plans to Control Trash

This letter presents comments from the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) on the proposed amendments to statewide Water Quality Control Plans to control trash. SCVURPPP is an association of 13 cities and towns, the Santa Clara Valley Water District, and the unincorporated Santa Clara County that are subject to requirements in the regional Phase I municipal stormwater NPDES permit for the San Francisco Bay Area region (MRP). SCVURPPP and its member agencies appreciate the opportunity to comment on the proposed amendments. Trash is an important issue in the South San Francisco Bay Area and we've been steadily reducing the impacts associated with trash on local water bodies and Lower South San Francisco Bay consistent with the trash reduction provisions in the MRP and the framework developed in the Bay Area by Phase I MS4 permittees and San Francisco Bay Regional Water Quality Control Board (SF Bay Water Board) staff.

We appreciate the State Water Resource Control Board's (State Water Board) consideration and incorporation of previous recommendations provided by SCVURPPP and its member agencies during the stakeholder meetings conducted over the course of the last two years. In particular, we appreciate the inclusion of the Track 2 compliance option with a time schedule equivalent to Track 1, "equivalent alternative land use" concepts, and the importance of regulatory source controls in the proposed amendments. That said, SCVURPPP member agencies have concerns with the amendments as drafted because they would potentially require municipalities in the Bay Area to inefficiently redirect limited public resources away from activities currently aligned with trash reduction provisions in the MRP. For that reason, we support the recommendations proposed in the comment letter submitted by the Bay Area Stormwater Agencies Association (BASMAA) regarding the proposed amendments. Specifically, we reiterate the need for revisions to the proposed amendments to:

- Provide consistency between the proposed narrative Water Quality Objective and trash discharge prohibitions by revising the prohibitions to include language that qualify that the trash discharges being prohibited and controlled by the specified implementation requirements, is the trash "in amounts that cause impairment of beneficial uses or conditions of nuisance in receiving waters";

- Provide an alternative (i.e., Track 3) to allow for compliance to be achieved via continued implementation the trash-specific provisions in the MRP; and
- Effectively provide “certification” for all devices previously “approved” by SF Bay Regional Board staff as full capture systems that are installed or in the process of being installed in the Bay Area.

SCVURPPP has been a leader in stormwater management prior to the issuance of the first municipal stormwater NPDES permits in the nation. Over 15 years ago, SCVURPPP agencies recognized the need to identify the extent and magnitude of the trash issue in the Bay region, and as a result SCVURPPP began implementing trash assessment strategies, and permittees began implementing enhanced control measures to reduce the impacts of trash on local water bodies. With the inclusion of trash control provisions in the MRP in 2009, SCVURPPP permittees intensified their efforts to significantly reduce trash discharged from MS4s to South Bay water bodies. For example, in just four years since the issuance of the MRP, SCVURPPP and its member agencies have had success in:

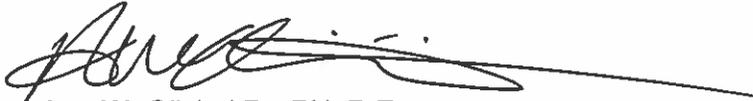
- Actively participating in the Bay Area regional study to develop regional trash generation rates;
- Developing community-specific maps that identify trash generating areas and short-term and long-term trash load reduction plans that describe planned trash reduction actions for geographically-specific trash management areas;
- Installing and maintaining full capture devices that effectively intercept trash from over 4,000 acres of land;
- Adopting over 15 local ordinances prohibiting the distribution or sale of litter-prone items such as single use plastic bags and expanded polystyrene foodware;
- Installing numerous partial trash capture devices and enhancing institutional controls, such as street sweeping and storm drain maintenance;
- Funding and actively participating in the implementation of an innovative regional social media campaign intended to change the behavior litterers, continuing to implement award-winning countywide and permittee-specific public education and outreach programs;
- Developing a new litter reduction initiative called the Santa Clara Valley Zero Litter Initiative (ZLI), which brings together stormwater professionals and other agencies and stakeholders integral to implementing collaborative projects designed to reduce trash/litter impacts on communities and the environment; and
- Developing an innovating Pilot Trash Assessment Strategy that includes a full capture device operations and maintenance program, on-land visual trash assessments, and receiving water monitoring, to demonstrate progress towards trash reduction goals.

These and additional efforts were conducted towards the goal of significantly reducing trash in MS4 discharges and achieving rigorous trash reduction goals set forth in the MRP (i.e., 40% by July 2014). These actions are part of a well designed framework developed by Bay Area Phase I MS4s and SF Bay Area Water Board staff, who have spent considerable resources identifying areas that contribute trash at problematic levels to their stormwater conveyance systems and tailoring trash control measures that are reducing impacts from trash generating areas in their communities.

Trash is a high priority pollutant of concern to SCVURPPP Permittees. We strongly urge the State Board to fully consider the recommendations proposed by BASMAA and allow SCVURPPP permittees to continue our process in reducing trash from MS4 discharges in a manner that is consistent with the Bay Area framework designed to achieve water quality goals outlined in the MRP. BASMAA's recommendations provide clarity to the relationship between the proposed amendments and the Bay Area trash reduction framework developed in collaboration with the San Francisco Bay Regional Water Board staff and currently being implemented by Bay Area Phase I permittees, while incorporating the lessons learned to-date through trash management in the Bay Area..

SCVURPPP and its member agencies look forward to further discussion of the proposed trash amendments and our recommendations. Please contact me should you have any questions or would like to discuss our comments further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam W. Olivieri', with a long horizontal line extending to the right.

Adam W. Olivieri Dr. PH, P.E.
Program Manager

cc: Bruce Wolfe, San Francisco Bay Regional Water Quality Control Board
Tom Mumley, San Francisco Bay Regional Water Quality Control Board
SCVURPPP Management Committee