



## CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

July 22, 2015  
Ms. Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
10011 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814  
[commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

Subject: Comment Letter on Proposal to Develop a Storm Water Program Workplan and Implementation Strategy

Dear Ms. Townsend,

The City of Signal Hill commends the State Water Board for undertaking the Storm Water Strategic Initiative, which will culminate in a Storm Water Workplan and Implementation Strategy – including projects for immediate action. Signal Hill is a small city in Los Angeles County that is an active participant in the development and implementation of two Watershed Management Programs (WMPs) – one for the Los Cerritos Channel Watershed and one for the Lower Los Angeles River Watershed. Our experience in the development of these two WMPs, and the experience of all of the cities that have participated in the development of WMPs and Enhanced Watershed Management Programs (EWMPs), indicates that implementation of these programs through traditional construction of water capture and treatment best management practices (BMPs) is going to be extremely expensive. The first two water capture projects funded in the Los Cerritos Channel Watershed each have design and construction budgets of approximately \$10.5 million each.

Our City participated in two of the stakeholder meetings held in Southern California in August 2014. Although it was not well fleshed out, we were encouraged by the inclusion in the Storm Water Strategic Initiative Concept Paper of, “Element 2: Remove Storm Water Pollutants by ‘True Source Control.’” The objective of Element 2, as explained in a Power Point presentation, was to be to “eliminate pollutants in storm water through product bans, product substitutions, legislative phase-outs and coordination with other agencies.” The actions proposed were to form federal, state, and local agency partnerships for collaboration to address pollutants such as pesticides or copper, as well as standardization of permit language to incentivize participation in statewide or regional actions to address these sources.

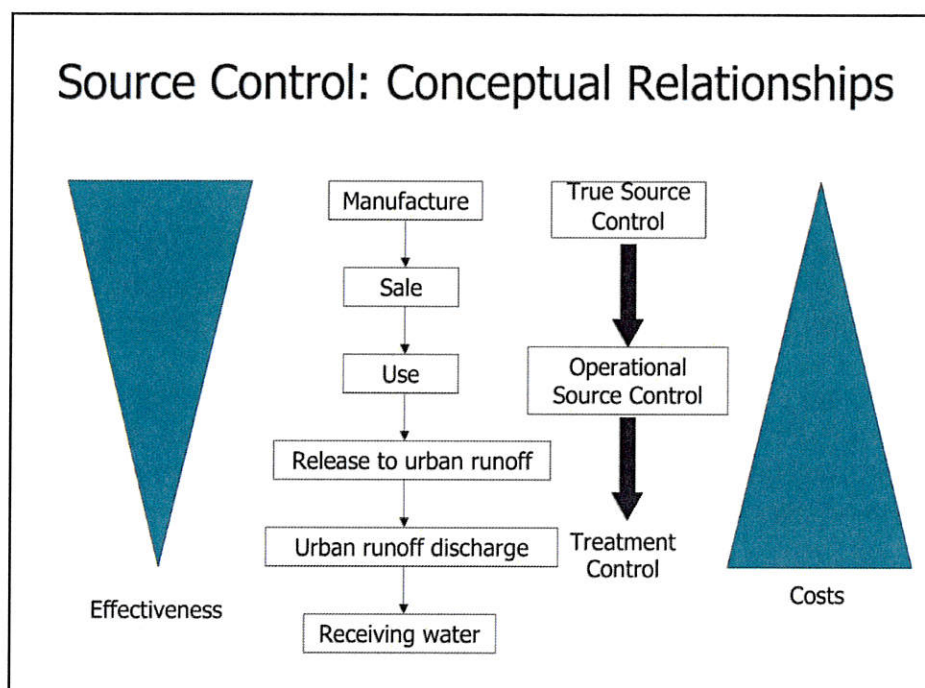
Unfortunately, the June 25, 2015, draft Storm Water Strategic Initiative backs away from a strong emphasis on source control just when many cities have realized that, without a stronger emphasis on true source control (pollution prevention), we will not be able to afford coming into compliance with water quality standards through conventional

engineering and construction methods without disrupting other municipal services. To assist with the acceptance of source control, the Initiative should clarify that true source control includes a menu of measures to reduce product-related water pollutants at the source. These measures include product reformulations to reduce or eliminate the water pollutant in the product, redesign of the product to prevent the release of the water pollutant (e.g., containerization), changes in use of the product (e.g., keeping the product indoors or away from impervious surfaces), or reduced use of the product (e.g., the Department of Pesticide pyrethroid regulations). The Initiative should also clarify that true source control is not the same as product bans.

Our City has been heavily involved in the search for sustainable funding for addressing stormwater and non-stormwater runoff pollution through supporting development of the October 2014 Stormwater Funding Options report, participation in development of AB 2403, and support for the California Contract Cities program to implement selected recommendations from the Stormwater Funding Options report. We had anticipated that State Water Board staff would have worked with the California Stormwater Quality Association (CASQA) to strengthen the emphasis on true source control in order to reduce MS4 water capture and treatment costs. Instead, the current draft of the Initiative places even greater emphasis on internal programming and buries true source control in a catch-all guiding principle that the Water Boards' Stormwater Program and overall efforts to manage storm water should "collaborate to solve water quality and pollutant problems with an array of regulatory and non-regulatory approaches." We are grateful that Urban Pesticide Reduction has been included as an Immediate Action Project, but at the same time, we are disappointed that State Water Board staff has not been able or willing to provide strong leadership in addressing pollutants at their sources in order to reduce the extremely high costs of addressing pollutants through water capture and/or treatment.

The City of Signal Hill regards the chaptering of the brake pad copper true source control bill SB 346 as Chapter 307 of the Statutes of 2010 as one of the most significant achievements in the last several years for improving water quality. The Water Boards contributed significantly to the research that led to SB 346 when the State Water Board, with support of almost every Regional Water Board, contributed \$700,000 to support the research program of the Brake Pad Partnership. Several years later, CASQA and Sustainable Conservation undertook a statewide effort for a legislative measure to put a control mechanism in place. More implementation procedures need to be developed, but our consultant tells us that major friction materials manufacturers are generally moving through a single reformulation process to successfully produce brake pads with less than 0.5 percent copper content. Therefore, we are likely to remove 60% or more of copper from urban runoff in our watersheds by 2026 or 2028, the final compliance dates in our copper TMDLs. We need something similar as soon as possible for other pollutants, particularly zinc and fipronil pesticides.

We have continued to be impressed by the conceptual relationships between costs and effectiveness in a figure developed for CASQA several years ago and included in one of our WMPs. (See below)



Source: California Stormwater Quality Association (CASQA)

We encourage the Board to consider these relationships and give true source control greater emphasis in its Storm Water Program Workplan and Implementation Strategy than is recommended in the June 25, 2015, Draft Storm Water Strategic Initiative. Specifically, we recommend the following changes to the Strategic Initiative to give much more emphasis to what is needed now – true source control:

- Eliminate current Guiding Principle 4 and replace it with a new Guiding Principle 4 stating, “Remove storm water pollutants from the environment through ‘True Source Control’ (pollution prevention) before they are able to be transported to an MS4.”
- Include CASQA’s “Source Control: Conceptual Relationships” graphic in the final Storm Water Strategic Initiative.
- Include the following additional “Issues Needing to Be Addressed to Achieve the Guiding Principle” to new Guiding Principle 4:
  - Permanent liaisons between the State Water Board and the Department of Toxic Substances Control (DTSC), the Department of Pesticide Regulation (DPR), and the California Air Resources Board (CARB) must be established to promote control of pollutants at their true sources.
  - Since DTSC will give priority to petitions submitted by State agencies, the State Water Board should partner with the Regional Water Boards, CASQA, and local agencies to submit a petition to DTSC to address zinc in tires through the Safer Consumer Product Regulations.

- To support a petition to DTSC in 2016 to address zinc in tires, the State Water Board and/or the Regional Water Boards should fund research to build upon CASQA's "Zinc Sources in California Urban Runoff" report to reduce zinc concentrations in tire tread wear debris in California as soon as possible.
- To promote greater emphasis on source control, the State Water Board should adopt a zinc source control policy that emphasizes true source control for implementation by the Regional Water Boards.
- Project 21 should be subdivided into projects to address the issues needing to be addressed identified above. A project to use the Safer Consumer Product Regulation petition process to address zinc in tires should be added as a very high priority project.

If the Storm Water Work Plan is intended to support the evaluation of the Stormwater Program for at least the next ten years, it should give significantly more emphasis to source control than is reflected in the June 25, 2015 Storm Water Strategic Initiative. As demonstrated by costs of implementing WMPs and EWMPs in Los Angeles County, Permittees need immediate help to reduce costs while achieving water quality standards. We think that the phase out of lead in gasoline and the phase out of copper in brake pads demonstrate the effectiveness of true source control. We ask that the Board give serious consideration to our comments and those of the California Stormwater Quality Association. Our watershed permits reflect a paradigm shift in permitting. Now we need a paradigm shift in State Water Board policy and programming to give much more emphasis to source control, particularly true source control.

Thank you for the opportunity to provide these comments.

Sincerely,



Charlie Honeycutt  
City Manager