



Community Development

www.cityofirvine.org

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(949) 724-6000

July 30, 2014



Ms. Jeanine Townsend, Clerk of the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
Email: commentletters@waterboards.ca.gov

Subject: Comment Letter – Trash Amendments

Dear Ms. Townsend:

The City of Irvine appreciates this opportunity to comment on the subject Draft Amendments to Statewide Water Quality Control Plans to Control Trash (Proposed Trash Amendments) developed by the State Water Resources Control Board (State Water Board) in June 2014.

The City shares the State Water Board's concern regarding trash in our streams and oceans and recognizes that Municipal Separate Storm Sewer Systems (MS4s) will be an important part of the solution. The City, however, has the following concerns with the current Proposed Trash Amendments:

1. The definitions Priority Land Uses are unnecessarily broad and will mandate storm drain retrofits in wide areas of low trash generation.
 - a. Defining High-density Residential Land Use as all land uses with at least 10 developed dwelling units/acre results in erroneously categorizing single family residential neighborhoods as high-trash generating areas.
 - b. The High Density Residential Land Use definition should be revised to focus on multi-family residential buildings (i.e., equal to or greater than five dwelling units per building). The City of Irvine Map 1 (Enclosure 1) highlights the broad areas of single family residential homes that are erroneously captured by the current broad land use definition, Appendix A: Trash Background cites studies conducted by County of Los Angeles Department of Public Works that indicate high generation of trash is

commonly found at highly populated and highly visited areas that attract high vehicular and pedestrian traffic (2004a; 2004b). This description more closely matches multi-family residential buildings (defined on Map 1 in red) rather than single family neighborhood housing (defined on Map 1 in pink).

- c. The commercial land use definition should be refined to focus on commercial uses that have the potential to produce trash (such as fast food or take-out restaurants, retail and food markets) and exempt professional and office uses that only provide services.
 - d. To address the need for better tailored priority area definitions and the inherent variability of development-related trash generation across the state, the City recommends a process whereby municipalities are able to propose modifications to high priority areas to focus on high-trash generating areas/land uses/development types based on site-specific documentation, such as catch basin cleaning data or trash generation studies.
2. Geographical Information System analysis of the proposed Priority Land Uses within the City of Irvine illustrates the broad nature of these definitions and the resulting cost implications to municipalities. As currently proposed, approximately 71 percent of the City's developed area would be considered a Priority Land Use (refer to Enclosure 2, City of Irvine Map 2). If the City implemented Track 1, full capture devices would be required on approximately 4,600 catch basins. Utilizing the estimated cost from Appendix C: Economic Considerations for the Proposed Amendments to Statewide Water Quality Control Plans to Control Trash of \$1,142 per catch basin insert for installation and one year of operations and maintenance, an estimated total cost to implement Track 1 for the City of Irvine is \$5,253,200. This cost estimate results in a cost per capita of \$21.65, more than double the \$10.50 Estimated Annual Cost Per Capita (After Full Implementation in Year 10) from Table 13. Incremental Cost of Compliance for MS4 Phase I Communities Using Full Capture Systems by Community Size.
 3. While it could be argued that compliance through Track 2 would provide some flexibility to address the above concerns, the burden of proof of performance results for Track 2 programs is impossible to meet for the following reasons:
 - a. A performance evaluation cannot be developed for an unknown target. The performance results to be achieved by the exclusive use of full capture systems (Track 1) is unknown, unless a municipality has already installed full capture systems and monitored their performance.
 - b. It is unclear how effectiveness of an individual municipal program could be objectively measured and quantified, since the original source of trash in receiving waters is unknown. Trash from upstream dischargers will pass

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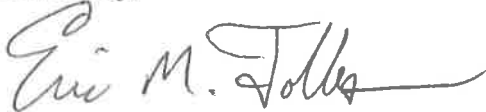
between jurisdictional boundaries and could be erroneously attributed to downstream municipal systems.

- c. If the level of trash discharged from a municipal system is already low, it may be impossible to document reductions from the previous year.

We thank you again for the opportunity to provide our comments and we ask that the State Water Board carefully consider the issues raised here. We appreciate the State Water Board's process of engaging stakeholders during the development of the Proposed Trash Amendments.

If you have any questions, please contact the City's Water Quality Administrator, Amanda Carr at 949-724-6315.

Sincerely,



Eric M. Tolles

Director of Community Development

Enclosures:

Enclosure 1: City of Irvine Map 1

Enclosure 2: City of Irvine Map 2

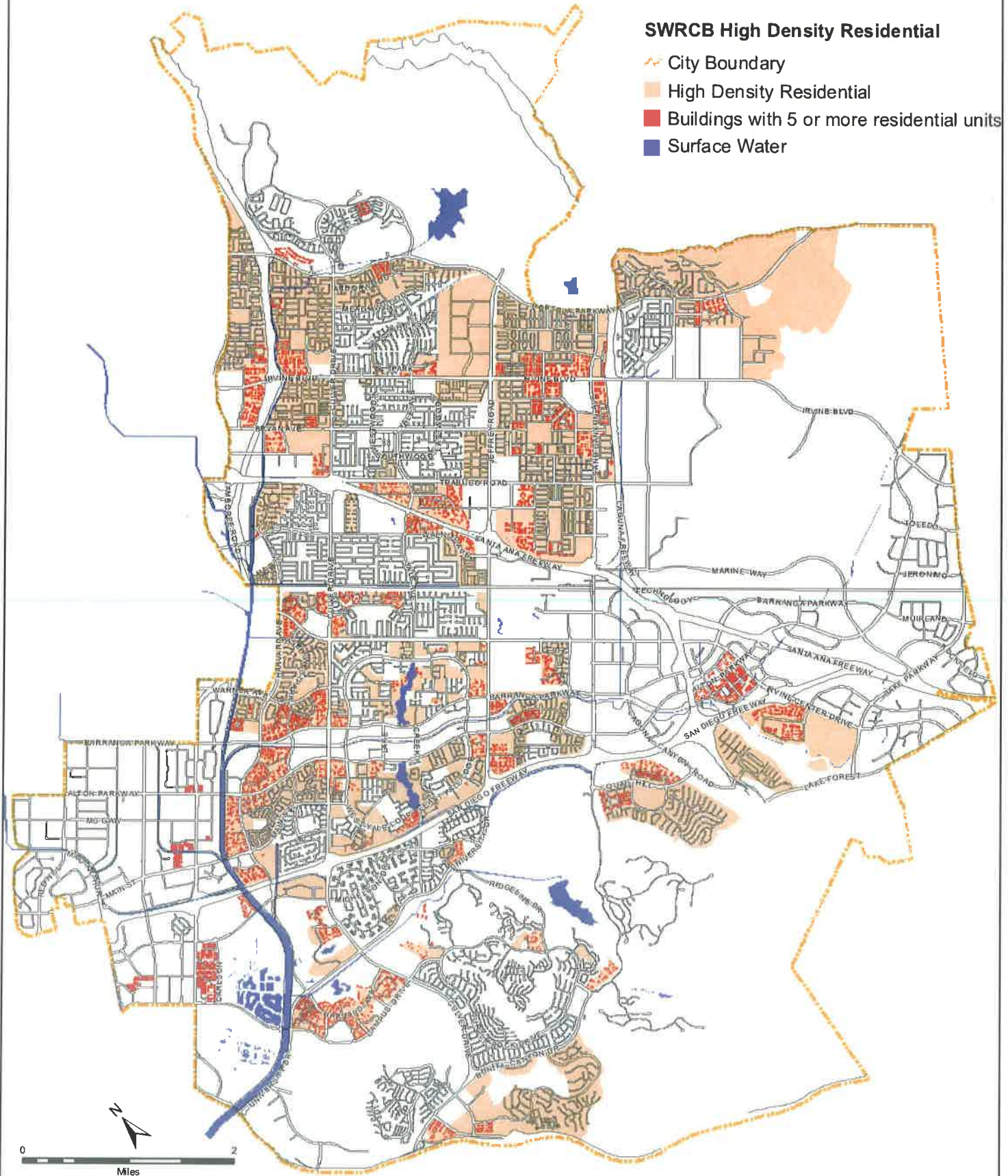
cc: Joe Kirkpatrick, Chief Building Official
Amanda Carr, Water Quality Administrator

City of Irvine - Map 1

Multi-family Residential vs. SWRCB High Density Residential








SWRCB High Density Residential

- City Boundary
- High Density Residential
- Buildings with 5 or more residential units
- Surface Water



City of Irvine - Map 2

Map of Proposed SWRCB Priority Land Uses

-  CITY Border
-  Storm Conduit
-  Street Bus Stop
-  Surface Water
-  31.00% High Density Residential
-  9.35% Multi-Use Residential/Urban Industrial
-  30.52% *Commercial

**Includes areas designated by the City of Irvine as:*

<i>Neighborhood Commercial</i>	<i>0.36%</i>
<i>Community Commercial</i>	<i>1.85%</i>
<i>Vehicle Related Commercial</i>	<i>0.15%</i>
<i>Commercial Recreation</i>	<i>0.06%</i>
<i>Regional Commercial</i>	<i>1.39%</i>
<i>Research and Industrial</i>	<i>7.45%</i>

