



CITY OF
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PUBLIC WORKS

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

Subject: Comment Letter – Trash Amendments

The City of Palo Alto appreciates the opportunity to provide comments on the Proposed Trash Amendments to Water Quality Control Plans. Palo Alto staff has actively participated in workshops hosted by State Board staff to provide input on the Trash Amendments and we would like to acknowledge the State Board staff's efforts to solicit this input and incorporate much of it into the proposed amendments. The City also supports and includes by reference comments submitted by the Bay Area Stormwater Management Agencies Association (BASMAA) and the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP).

The City of Palo Alto has been implementing trash controls since the early 2000s, when the San Francisco Bay Regional Water Quality Control Board and Phase 1 Permittees in the Bay Area collaborated on characterizing trash in creeks, and two Palo Alto creeks were listed as impaired by trash as a result of the City's proactive efforts to gather data. The City has implemented various innovative programs, including the formation of the Downtown Streets Team in 2005, which employs homeless individuals to clean downtown area sidewalks, parks, and parking structures daily, in exchange for housing and food vouchers. This effort has multiple benefits including litter reduction, improved aesthetics and business climate, and financial assistance for the homeless population.

The City was also a leader in banning single-use plastic bags at grocery stores (and recently expanding the ordinance to include all retail outlets and restaurants) as well as banning expanded polystyrene (EPS) foodware at food service establishments. These ordinances were intended to achieve overall sustainability goals, plastic reduction, as well as litter control and have been very successful. Restaurants in Palo Alto are complying with the EPS ordinance and EPS at clean up events is primarily packaging material. For the expanded plastic bag ordinance, data on store compliance, observations of bag use at stores, as well as field observations and counts of bags at clean up events show that plastic bags used and

found in the environment have been significantly reduced. Therefore, the benefit of such source control actions should be better accounted for in the Trash Amendments.

The City has conducted a variety of highly visible trash control measures, including an intensive street sweeping program, litter pick-up in parks and medians, as well as leadership in the Santa Clara Valley Zero Litter Initiative, close cooperation with solid waste collection efforts, shoreline clean-ups, and installation of trash booms on two creeks. The City prefers implementing such multiple benefit and/or visible projects where possible as a better option than installation of full trash capture devices, because full trash capture is not visible to the public. Implementation of litter and debris reduction projects observable by the public is critical in encouraging behavior change, which is ultimately how the problem of trash in creeks and the San Francisco Bay must be solved. Palo Alto, therefore, appreciates the inclusion of Track 2 in the Trash Amendments.

The City of Palo Alto supports BASMAA's request to provide an alternative track in the implementation requirements of the trash amendments for the San Francisco Bay Area Phase I MS4 dischargers under the jurisdiction of the San Francisco Bay Regional Water Quality Control Board. Bay Area permittees have already spent significant resources on preparing and implementing long-term trash reduction plans and mapping community-specific high, medium, and low trash generating areas. This effort provides a path to complying with trash reduction goals in the Bay Area Phase I regional NPDES municipal stormwater permit. Therefore, the submittal of written notice on whether a permittee will follow Track 1 – full trash capture or Track 2 – a combination of controls, as well as the requirement for those permittees electing to follow Track 2 to submit an implementation plan, is duplicative of efforts already undertaken in the Bay Area and would divert resources away from implementing trash controls already planned. At a minimum, the requirements for duplicative efforts should be waived for Bay Area permittees, and priority land areas identified in the long-term trash plans should be deemed acceptable.

The City of Palo Alto is also concerned about the monitoring requirements included in the Trash Amendments, specifically the monitoring questions asking MS4s to determine whether trash discharge has decreased through the MS4 and in the receiving water from year to year. The City supports BASMAA's request to replace these questions with "to what extent has trash from priority land uses been addressed?" This question could be answered through on-land visual assessments, which have been performed successfully as an assessment tool in Bay Area municipalities, including Palo Alto. Receiving water trash amounts should not be used to measure compliance with stormwater trash reduction requirements. While the goal of all our efforts is to reduce trash in receiving waters, the receiving waters in Palo Alto are heavily influenced by discharges from areas that Palo Alto has no jurisdiction over (notably Highway 101, which is under the jurisdiction of Caltrans).

Trash data from shoreline clean ups is highly variable from year to year and is not an accurate indicator of trash that may have been discharged through the storm drain system nor of the effectiveness of the City's substantial efforts in controlling trash. Rather than prescribing documentation of Track 2 performance, permittees should have the ability to determine and implement cost-effective methods to monitor trash reduction associated with MS4s.

We appreciate your consideration of these comments. If you have any questions about these comments, please contact Kirsten Struve on my staff at Kirsten.struve@cityofpaloalto.org or at (650) 329-2421.

Sincerely,



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City of Palo Alto

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