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Quick Guide to California's New Trash Policy (April 2016)

In 2010, the State Water Board began a [four year public process](#) to develop a statewide trash program, with input from cities, plastic manufacturers and ocean advocates. In early iterations, the Trash Policy incentivized local source control measures; but the source control measure incentives were later removed due to protests and the possible threat of a lawsuit from plastics manufacturers. Generally, advocates succeeded in strengthening the Policy throughout its development with the inclusion of a more enforceable water quality standard; requiring the use of trash-catching devices wherever feasible; requiring monitoring and interim milestones to ensure compliance; and the inclusion of a future trash “hot spot” program to address areas not covered by the Policy.

The State Water Board adopted the [Final Trash Policy](#) on April 7th, 2015. Some cities, like the City of San Diego, opposed the Policy because it would proscribe local trash response efforts. However, the Policy generally enjoyed strong support, including from the California Ocean Protection Council (OPC) and California businesses. The OPC passed a resolution supporting the Policy and committing to submit a support letter with recommendations on how to improve the monitoring program. Twenty-five California businesses signed and submitted a [statement of support for the Policy](#) and press statement, noting that “Trash-Free waters are good for business.”

What makes the new Trash Policy a national model?

California made history by becoming the first state in the nation to have a program to stop the flow of trash to the ocean, bays, and rivers. The [Trash Policy](#) is modeled after the successful [Los Angeles trash program](#), which puts the impetus on cities to prevent litter from entering waters by placing trash catching devices on all storm drains. Cities such as Philadelphia and Portland, Oregon use trash catching devices, but no state has ever required them on all storm drains in urban areas. The Policy is also historic because it formally articulates a state goal that no trash be present in any ocean waters, bays, or surface waters of the state.

What will cities and counties (and other entities) need to do to comply with the Trash Policy?

The Trash Policy went into effect January 2016, and will be incorporated into future stormwater permits, at which point, permittees will have ten years to comply with the regulations. The Policy provides municipalities with two paths to compliance. First, a municipality can choose to install and maintain trash-catching devices on storm drains in high-density residential, industrial and commercial zoned areas, and public transportation stations. Second, municipalities can create a self-selected trash reduction program that could include: increased street sweeping, education programs on littering, installation of trash-catching devices on storm drains, and enactment of local source control ordinances.

The Trash Policy also requires Caltrans, and industrial and construction stormwater permittees, to stop trash from flowing into waterways. Caltrans will be required to implement a trash reduction program on all high-use freeways. Facilities that operate using pre-production plastics (“[nurdles](#)”) will be strictly prohibited from allowing plastics nurdles to be released into a waterway.

What are the next steps for implementing the Policy?

With the Policy in force, regional water boards and ocean advocates will now turn to implementation. California Waterkeepers and other local organizations will be working with the regional water boards to ensure stormwater permits are written as intended by the Policy. Stakeholders would also like to see the [Ocean Protection Council](#) work with the State Water Board to develop a monitoring program to measure the Policy's success. The State Water Board will be working with stakeholders to evaluate and develop a trash “hot spot” program to address sources of pollution not covered under the Policy.