



County of Santa Barbara Public Works Department  
Project Clean Water

123 E. Anapamu Street, Suite 240, Santa Barbara, CA 93101  
(805) 568-3440 FAX (805) 568-3434  
Website: [www.countyofsb.org/project\\_cleanwater](http://www.countyofsb.org/project_cleanwater)

PROJECT  
  
CLEAN WATER  
County of Santa Barbara

PHILLIP M. DEMERY  
Director

THOMAS D. FAYRAM  
Deputy Director

October 16, 2006

Sorrel Marks  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

**Re: Reissuance of the Discharges with Low Threat to Water Quality General  
NPDES Permit**

Dear Ms. Marks,

Staff of the County of Santa Barbara Water Resources Division of Public Works, Project Clean Water, appreciates this opportunity to comment on proposed changes to General NPDES Permit for Discharges with Low Threat to Water Quality, Order No. R3-2006-0063. We have coordinated with staff of Environmental Health Services and Fire Department, and these comments reflect their input.

Santa Barbara County Project Clean Water staff is directly responsible for assuring the County's compliance with our Phase II Municipal NPDES permit. The following comments are based on our understanding of how this Permit for Discharges with Low Threat to Water Quality would affect various agencies, both special districts and some County divisions, within the County of Santa Barbara.

Our recommendations are summarized as:

Public Notification

① Because this General Permit requires capital expenditures (fees, sampling, and reporting) by the affected dischargers, a public process including workshops and outreach is needed. For a program of such comprehensive magnitude, simply posting a public notice followed by a hearing does not provide adequate participation for meaningful input by the regulated entities. It is very likely that dischargers are not aware of this permit, its applicability to their operations, or the consequences of non-compliance (\$10,000/violation, imprisonment, or both).

Public workshops would provide a better mechanism for communicating this program to affected entities, and clarify the nature and specifics of the permit program. The General Permit itself is complex and many of the affected entities may not be able to understand the applicability of the rules to their operations. We note in passing that RWQCB expects significant outreach and public involvement in local water quality programs. We suggest a similar approach is appropriate in this case as well.

#### Monitoring

The prior low-threat discharge permit (Order No. 01-119 NPDES Permit No. CAG993001) required substantial analytical sampling. This new permit requires additional sampling and analysis for priority pollutants, which include over 100 analytes of volatile, semi-volatile, organic pesticide, and inorganics (A(1)(b)(s)). These constituents would not be present in most, if not all, of the types of discharges to be regulated.

The State Water Resources Control Boards's General Permit for Discharges with a Low Threat to Water Quality (Order No. 2003-0003-DWQ) focuses the constituents on the types of pollutants anticipated based upon category (Table 2 of Monitoring and Reporting Program). The Central Coast RWQCB provides no basis for expanding the requirements of the SWRCB requirements.

Given that the lab costs for one discharge monitoring event alone could cost over \$1,000 for these constituents alone, such an unsupported requirement is unreasonable.

Futhermore, the new rules require "certified analytical results" (A(b)6)) for physical properties (pH, temperature, color, turbidity, and dissolved oxygen) at two locations upstream and downstream of the discharge. These parameters could be measured in-situ by the permittee, but are now required to be certified by a lab. This adds to the costs and complexity of the sampling program.

② We do not believe the CCRWQCB has the staff time to receive and meaningfully review the volumes of data that could be anticipated from an annual monitoring report including results from receiving water monitoring, start-up phase monitoring, and daily, monthly, and annual discharge monitoring results. For these reasons we believe the Central Coast RWQCB should adopt monitoring requirements that are the same or similar to the State's requirements.

#### Special Circumstances

③ This permit allows enrollees to submit a single application for multiple low-threat discharges "within a specific groundwater basin or receiving water body". We believe that special circumstances should also be given to discharges by the same entity and of the same nature, i.e., fire hydrant testing, even if they occur within different watersheds as long as the nature and type of discharge remains the same. In particular, because of local geography, over 40 named watersheds exist on the south coast of Santa Barbara

County. This means that the County Fire Department would have to apply for a separate permit for each of the 15 watersheds in its service area that have hydrants.

Conclusion

These comments may not address all the County issues with this permit program due to our own staff constraints. However, we feel that this program puts the Central Coast RWQCB and its regulated community into a situation requiring more time and energy on fruitless efforts than on actually protecting water quality.

We would appreciate your consideration in this matter.

Sincerely,



Robert B. Almy  
Water Agency Manager

cc: State Water Resources Control Board, Surface Water/Regulatory Branch  
1001 I St. Sacramento CA 95814  
Michael Brown, County Executive Officer, 105 E. Anapamu St. Santa Barbara  
CA 93101  
Michael Scherrei, Chief, Santa Barbara County Fire Department, 4410 Cathedral  
Oaks Road, Santa Barbara, CA 93110-1042  
Rick Merrifield, Manager, Environmental Health Services, Santa Barbara County  
Public Health Dept, 225 Camino Del Remedio, Santa Barbara CA 93110