

HEAL THE OCEAN

Friday, September 3, 2004

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Roger Briggs, executive officer
Regional Water Quality Control Board
895 Aerovista #101
San Luis Obispo, CA 93401

Dear Mr. Briggs:

We think your staff did wonderful work on Santa Barbara County's Storm Water Management Plan (the advice for revisions as contained in RWQCB's June 7, 2004 letter to the County).

Enclosed are Heal the Ocean's comments on the SWMP as revised by the County (the revision based on the RWQCB June 7, 2004 recommendations).

We hope your staff, and the Regional Board, sticks to its excellent suggestions and directions to Santa Barbara County. A decent storm water management plan is crucial in this area!

Truly yours,

Hillary Hauser, executive director
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Cc: Peter von Langen



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Office:

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Mr. Robert Almy
Water Agency Manager
Santa Barbara County Water Agency
123 East Anapamu Street
Santa Barbara, CA 93101-2058

**Re: County of Santa Barbara Storm Water Management Plan: Santa
Barbara County: WDED#3 42MS03024 – RWQCB comments**

Dear Mr. Almy:

Heal the Ocean has had the opportunity to review the June 7, 2004 comments from the Regional Water Quality Control Board (RWQCB) on Santa Barbara County's draft Storm Water Management Plan (SWMP).

Heal the Ocean, an active non-profit group focused on improving water quality in the Pacific Ocean and local watersheds of Santa Barbara County, provided considerable input, both in writing and in public meetings, during the public process that resulted in the draft SWMP. We believe that storm water is one of the most serious sources of Santa Barbara County's ocean pollution problems – and that any management plan dealing with storm water must have some teeth in it.

This draft, submitted to the Regional Board on August 8, 2003, failed to contain a number of Heal the Ocean's recommendations – to the point that we, along with Channelkeeper, approached the Santa Barbara County Board of Supervisors to ask for a hearing on the draft SWMP (we were denied).

Therefore, we concur with the Regional Board's comments on a number of "Overall Concerns" – which remain unaddressed in the July 28, 2004 SWMP being submitted to the Regional Board.

Our comments are confined to the following areas:

Legal authority/ordinance/revenue source

Heal the Ocean is pleased to note the provisions of the May 5, 2004 draft of a Santa Barbara County Stormwater Management and Discharge Control Ordinance. However, this Ordinance needs to be finalized, adopted, and included into the final SWMP, and accordingly, the current section 3.2.2 ("Storm Water Ordinance") of the SWMP needs to be replaced (being irrelevant in light of development of this Ordinance).

Similarly, the Table 3-1 list of 26 federal, state and local code provisions that "may prohibit non-storm water discharges" is irrelevant if the draft Ordinance is to be included in the SWMP. Heal the Ocean feels the draft Ordinance should be included, with a timetable for finalization and adoption, in response to RWQCB's reminder to the County that it is required to develop "appropriate legal authority," as well as the development of a revenue source to implement and carry out the SWMP.

Identification of pollution sources

Heal the Ocean concurs with the RWQCB that the County SWMP does not adequately pinpoint sources of bacteria, nutrients, pesticides, and heavy metals entering the creeks (and ocean) through urban sources. We continue to insist that an effective SWMP include a description of a dedicated monitoring program to determine pollution sources. Prior to the August 8, 2004, draft SWMP, Heal the Ocean, together with Channelkeeper, lobbied the County to include in the SWMP a minimal (\$32,620) program of monitoring for select 303(d) water bodies in Santa Barbara County.

The only actual water quality sampling described in the SWMP is in Section 2.2.4 Volunteer "Creek Watchers Program" administered by a local nonprofit environmental organization.

Heal the Ocean feels it is ludicrous to rely on such a program to "adequately identify particular practices or pollutants that occur in Santa Barbara County." To pinpoint sources of bacteria, nutrients, pesticides and heavy metals entering the creeks (and ocean) through urban sources, the SWMP needs to include a dedicated, minimal monitoring program (and funds to support it) for a selection of Santa Barbara County's 303(d) water bodies.

These 303(d) impaired water bodies should be separate from those being targeted by the City of Santa Barbara with its "Measure B" funds. (The Benthic Macro Invertebrate (BMI) monitoring is a City project).

Septic System discharge into Storm Drain System

The Regional Board has requested a summary of the Questa Engineering Report, which identifies areas of Santa Barbara County where septic systems are poorly placed, thereby causing pollution problems by septic effluents getting into groundwater, creeks and/or storm drain systems. Heal the Ocean, which is very active in combating septic pollution in Santa Barbara County, strongly feels the County must be a responsible vehicle for regulating septic system pollution, and include illicit septic system waste discharge in its SWMP list of Illicit Discharge Detection and Elimination MCM.

Storm Sewer Mapping.

In its June 7, 2004, letter the RWQCB notes (on page 5) that the General Permit requires Santa Barbara County, as the Permittee, to *develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and locations of all waters of the U.S. that receive discharges from those outfalls.*"

Both the draft SWMP, and final (July 28, 2004) SWMP state (in Section 3.2.1) that Storm Sewer Mapping for Santa Barbara County is completed, per 40 CFR 122.34(b)(3)(ii)(A).

This mapping is *not completed* - and the SWMP needs to indicate this in this sections of the SWMP where relevant, as well as a target date when the mapping of the County's storm sewers will be completed.

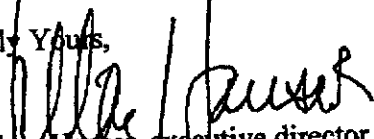
Previously, Heal the Ocean had been advised by the County that the mapping will be completed by the Roads Division, and/or as information comes in from Flood Control records. Presently - in fact, as this letter was being written - Heal the Ocean requested from the County a map of drainages in the Padaro Lane (South Coast) area, and have been told that no such map exists.

Heal the Ocean echoes the Regional Board's concern ("Overall Concern #4) that the SWMP "does not take into account items that the County is working on to improve storm water quality...and that the omission of some of these

items may not allow the County SWMP to achieve MEP standards." We believe that without an Ordinance in place, without a dedicated monitoring program to pinpoint pollution sources, and without a complete storm sewer map, the SWMP being submitted to you now will not allow Santa Barbara County to achieve MEP standards.

Thank you for this opportunity to comment.

Truly Yours,



Hillary Hansen, executive director
HEAL THE OCEAN

Cc: Roger Briggs, Executive Officer RWQCB
Peter von Langen, RWQCB
Santa Barbara Channelkeeper