

**Santa Barbara County Storm Water Management Program
Response to Comments from Heal the Ocean (Coast Law Group) March 17, 2006
Letter**

1. As noted repeatedly in our past comment letters and communications with Board staff and applicants, Heal the Ocean is very concerned with the lack of coordination between the County and the various cities within the County on implementation and enforcement of the various SWMPs throughout the region. In particular, the abnegation of County responsibility for many 303(d) impaired water bodies - including the Santa Ynez River and the Santa Maria River - is an inexcusable oversight.

Hence, not only are the City and County SWMPs inadequate for failure to prescribe specific BMPs to address continued pollution discharges into these waters, they don't even accurately assess jurisdictional responsibilities for the various segments. Instead, the County baldly asserts that impaired water bodies are not within the County's urbanized area permit jurisdiction and therefore need not be considered as part of the SWMPs.

Response – The County has proposed BMPs to address pollutants of concern. The pollutants of concern include pollutants that are causing impairment of certain waterbodies. The purpose of the SWMP is to reduce pollutants to the maximum extent practicable. The County has identified pollutants of concern and will implement BMPs to reduce the discharge of those pollutants from their MS4. Whether they claim “jurisdictional responsibility” for a given water body is irrelevant if they have addressed the pollutants that are causing impairment. Also, just because a water body is impaired, does not mean that urban runoff is necessarily the cause of that impairment.

2. Because many of the city SWMPs include no maps, and because the County SWMP only includes a map of roads (instead of waterways), the jurisdictional issues remain entirely confused. As a result, Heal the Ocean has been forced to spend considerable time and resources reviewing each of the individual city SWMPs in the County of Santa Barbara to determine whether responsibility for these impaired water bodies lies with the municipalities (i.e., the city of Santa Maria, Solvang, Buellton, and others) or with the County of Santa Barbara, or both.

Response – Responsibility for impaired water bodies may not lie with any urbanized area. Until a TMDL is established with load allocations, it is not clear how much the urbanized areas are contributing to a water body's particular impairment. The General Municipal Storm Water Permit does not require permittees to include detailed maps in their SWMPs. The County is required to and has developed a storm drain system map showing outfall locations and receiving water bodies. The County has agreed to include a map with water bodies and the permit areas. Although we encourage regional entities to coordinate their stormwater activities, the County of Santa Barbara does not have jurisdiction over what the cities include in their SWMPs.

3. U.S. EPA recommends that cities which must rely on a county for implementation of particular elements of their SWMPs engage in a legally binding agreement for the provision of these services. Heal the Ocean is concerned that the apparent disconnect between Santa Barbara County and the cities indicates a critical lack of coordination in the region such that **none of the SWMPs can be confidently relied upon to meet water quality standards**. In essence, the entire program is on a fast-track to failure.

Response – The County does not rely on other entities to implement SWMP requirements and therefore the comment is not relevant to the County SWMP. If any of the cities rely on the County for implementation of their SWMPs, staff will consider whether the cities have adequate legal authority when reviewing those SWMPs.

4. While these stakeholder meetings should serve a vital role in coordination among the various permitted entities, attendance is at near-zero, and there is nothing in the draft County SWMP that indicates how the County intends to remedy this problem. The draft SWMP indicates no commitment to conduct stakeholder meetings in north Santa Barbara County. The County draft SWMP states that the City of Santa Maria "is interested" in initiating a stakeholder meeting in the North County, but the Santa Maria SWMP makes no mention of such an arrangement. There is particularly harmful language in the current draft SWMP regarding the initiation of a North County Stakeholder meeting that would result in a decrease in the number of stakeholder meetings in the South County. A "bi-monthly" meeting alternating between North and South County would result in one meeting every four months in each area. Three stakeholder meetings in each area per year are far too few for any kind of meaningful public input or multi-agency coordination.

Response – The County commits to establishing a North County stakeholder committee by the end of permit year 1 (page 2-7, Table 2-3). The commenter indicates that six stakeholder committee meetings per year are "far to few for any kind of meaningful public input or multi-agency coordination". The six meetings are in addition to quarterly intergovernmental agency meetings, which include city, county, and state agencies. Board staff would like to see County staff working on BMP implementation in addition to coordination with agencies and public participation. Ten meetings per year is a good starting point. Once the meetings begin, the County can evaluate their effectiveness and the frequency can be adjusted accordingly.

5. Given the serious lack of agency coordination between the County and the cities within the County, Heal the Ocean remains concerned by the County's haste to edit its SWMP and push it through the Regional Board approval process. Heal the Ocean communicated this concern to Regional Board staff in November 2005, but we are unaware of any efforts by Regional Board staff to provide preliminary review of the County document prior to posting for public comment. For instance, at the last minute the County changed a map delineating the County SWMP permit area(s), as well as corresponding Notice(s) of Intent (NOI) that some cities within the County thought were being filed on their behalf. Heal the Ocean maintains that there is

absolutely no justification for changes made to the County's NOI, and this should have been addressed by Regional Board staff prior to making the document available for public review.

Response – Water Board staff have reviewed four versions of the Santa Barbara County SWMP. Water Board staff sent comment letters to the County on June 7, 2004, and July 8, 2005 providing comments on previous versions of the SWMP. Board staff attended a meeting on November 15, 2005 with the County, Heal the Ocean, and Channelkeeper to discuss remaining issues with the County SWMP. Board staff participated in a conference call with Santa Barbara County on December 19, 2005 to discuss the County's SWMP. Water Board staff provided a thorough review of the County's final draft SWMP prior to posting.

The County of Santa Barbara can modify its Notice of Intent (NOI) at any time to clarify information provided. The County initially submitted an NOI as a co-permittee with other agencies, but has since decided not to participate as a co-permittee.

The recent changes to the SWMP were a logical outgrowth of public comments and do not require any additional comment period.

6. Why has the community of Mission Hills been deleted from the County's most recent NOI, despite census data placing it clearly within a covered urbanized area?

Response – Census data does indicate that Mission Hills is located in an urbanized area. However, the General Permit does not include Mission Hills as an area requiring permit coverage. Nevertheless, the Water Board sent a letter on April 21, 2006, informing the County that they needed to include Mission Hills in their SWMP. Water Board staff will recommend to the Board that Mission Hills be included in the SWMP.

7. Why is the Dec. 31, 2005 permit area map substantially different from previous versions of this map?

Response – The County updated the map to reflect the fact that they are no longer co-permittees with municipalities in the County.

8. Why has the City of Guadalupe been added to the current SWMP map under the special designation of "incorporated city," and what are the SWMP requirements specific to this incorporated city?

Response – The City of Guadalupe is included on the SWMP map as a geographic reference point only. The City of Guadalupe is not required to implement its own SWMP or County SWMP requirements. The City is not an urbanized area. An urbanized area is defined as having a population of at least 50,000 and a population density of 1,000 people per square mile.

9. Why does the draft county SWMP make no mention of the 303(d)-impaired Santa Ynez River, when the Santa Ynez River flows through permit areas?

Response – The County does discuss the Santa Ynez River and historical storm water quality data collected from County areas that contribute runoff to the Santa Ynez River in Appendix B. Santa Barbara County used the water quality data to develop efforts to improve water quality. The Santa Ynez River is 303(d) listed for nutrients, sedimentation/siltation, and salinity/TDS/chlorides. The County SWMP proposes numerous BMPs that address nutrients (Green Gardener Certification Program, Business Outreach Program, Storm Water Ordinance) and sedimentation/siltation (Construction Workshops, Grading Ordinance, Land Use Permitting). Salinity/TDS/chlorides are not typically associated with urban runoff.

10. How can the County credibly argue it has met MEP and will be protecting water quality standards if there is no water quality monitoring program by which to assess program success?

Response – The General Municipal Permit does not require water quality monitoring. The County has committed to organize volunteer snapshot monitoring events twice a year. Snapshot monitoring will involve community members conducting water quality monitoring. The County is required to monitor and report annually on BMP effectiveness. Water Board staff will review the annual reports and determine the need for additional water quality monitoring.

11. How can the County purport to ensure compliance with post-construction best management practice obligations when the SWMP contains no detail regarding basic program elements?

Response – Detailed post construction program elements are included in Section 5.0 and in Appendix F.

The following responses are for comment letters specifically referenced in the March 17, 2006 comment letter.

Responses to January 3, 2006, Heal the Ocean Comment Letter

12. While Heal the Ocean remains unsatisfied with the County's response to a number of critical issues we have with the County SWMP, this letter focuses on only one serious set of errors in the SWMP – the critical issue of overlapping jurisdictions, wherein the parties – both the County and the cities involved – fail to address in their SWMPs the pollutants of concern listed for the water bodies – including 303(d) listed water bodies – that enter and exit their permitted areas.

The County SWMP abnegates responsibility for water bodies in its permitted area, without providing proof that it can do so, and for this reason alone, Heal the Ocean will oppose RWQCB approval of the County SWMP in its present form.

Heal the Ocean asks the County to provide a justification as to why the two largest impaired 303(d) listed rivers in the County – the Santa Maria River and the Santa Ynez River are described in Table 1 as “not in the County’s permit area.”

Response – Neither the Santa Ynez River or the Santa Maria River flow through County permitted areas. However, the County’s SWMP does address the pollutants of concern for these waterbodies.

13. There is no evidence supporting the suggestion that the unincorporated areas, which are under County jurisdiction, are not a source of pollution. If the County wishes to further advance its case in this matter, it must implement a comprehensive chemical monitoring program at the edge of the permit boundaries to show that the waterbodies in question are polluted before they enter their jurisdiction. No such monitoring program has been initiated.

Response – The General Municipal Permit does not require water quality monitoring. The County has committed to organize volunteer snapshot monitoring events twice a year. Snapshot monitoring will involve community members conducting water quality monitoring. The County is required to monitor and report annually on BMP effectiveness. Water Board staff will review the annual reports and determine the need for additional water quality monitoring.

14. The most serious jurisdictional inconsistency of the County SWMP is found in the discussion of San Miguelito Creek, a major tributary leading into the Santa Ynez River, a 303(d)-listed impaired water body. San Miguelito Creek is listed on Table 1 as being “not in the (County’s) permit area,” and, thus is in the jurisdiction of the City of Lompoc. However, the City of Lompoc’s SWMP states, *“The City receives flow from the upstream watersheds of the Santa Ynez River and from San Miguelito Creek, which drains from unincorporated Santa Barbara County lands, south of town... The East-West Channel is maintained by the City of Lompoc, while the Miguelito Creek Channel and its related basin are maintained by the Santa Barbara County Flood Control District... Other sources of sediment that are readily apparent in the Lompoc Valley include... significant erosion in the upper reaches of Miguelito Canyon, within Santa Barbara County’s jurisdiction.”*

Response – San Miguelito Creek is not in the County Permit area. Water Board staff will review the City of Lompoc’s SWMP to ensure that all pollutants of concern are addressed in the City of Lompoc’s SWMP.

15. Additionally, the introduction of SWMP REV 4 states that the County is responsible for:

“...implementing the SWMP in state designated unincorporated urbanized areas pursuant to the General Permit (see Figure 1). The Cities of Carpinteria, Santa Barbara, Goleta, Buellton, Solvang, Lompoc, and Santa Maria are responsible for implementing independent SWMPs within their municipal boundaries, but have a close working relationship with the County on topics of overlapping interest, such as public education (see Section 1.0).”

Heal the Ocean insists that the “topics of overlapping interest” include not only public education – but the topic of reducing pollutants to impaired water bodies that cross overlapping permitted boundaries.

The Santa Maria River is listed in Table 1, of SWMP REV 4, as being “not in the County’s permit area” – and thus, it is the responsibility of the City of Santa Maria to address the Pollutants of Concern (POCs) specific to this impaired water body. To assert that the City of Santa Maria is solely responsible for the Santa Maria River means that the County assumes that the only source of pollution to this water-body emanates from the incorporated boundaries within the City.

Again, there is no evidence supporting the suggestion that the unincorporated areas, which are under County jurisdiction, are not a source of pollution.

Response – None of the County’s permit areas drain directly to the Santa Maria River. The Orcutt area drains to Orcutt Creek. The County does address the pollutants of concern for both the Santa Maria River and Orcutt Creek. See response to comments 1 and 2.

16. What’s is even more alarming is that while the County asserts that that the City of Santa Maria is responsible for the management of the 303(d)-listed Santa Maria River, the City of Santa Maria’s SWMP does not outline specific measures to address this impaired water body. A similar situation is observed for the Santa Ynez River, which the County asserts is under the jurisdiction of Buellton, Lompoc and Solvang, yet these SWMPs do not provide specific BMPs that will address the POCs specific to the Santa Ynez River.

The major discrepancies that exist between the Lompoc, Buellton (et al) SWMPs and the County SWMP indicates a gross lack of coordination between the agencies responsible for implementing responsible programs for either storm water management or pollution control to 303(d)-listed water bodies. Heal the Ocean insists that until all of these inconsistencies are remedied the County SWMP should NOT move forward nor should the SWMPs of the cities whose jurisdiction overlaps the County’s.

Response – Water Board staff will review the SWMPs for the Cities of Santa Maria, Lompoc, Solvang, and Buellton to ensure BMPs address pollutants of concern, including pollutants causing impairment.

17. The County SWMP describes public education as an “overlapping topic of interest” with the various cities (Lompoc, Santa Maria, Buellton, et al), yet the public education and outreach sections in both the County REV4 SWMP and the city SWMPs do not clearly define which BMPs and MCMs the cities will implement and which BMPs and MCMs will be implemented by the County agencies.

Response – The County SWMP clearly describes the public outreach and education BMPs in the SWMP. Water Board staff will review the SWMPs for the Cities of Santa Maria, Lompoc, Solvang, and Buellton to ensure BMPs address pollutants of concern and that the public education component complies with General Permit requirements.

18. There is serious lack of coordination between the various agencies responsible for implementing and enforcing the SWMP throughout Santa Barbara County. The County Project Clean Water “stakeholder” meetings, touted in the SWMP as a chief means of such coordination, are poorly attended if at all. Previous versions of the SWMP committed the County to ensuring 10-50 people would attend these meetings, but these meetings are never attended by this many people and as a result the County in its most recent version of the SWMP has removed this language. The County must provide a measurable goal that aims to increase the attendance at these meetings or provide some other means of effective public involvement or inter-agency coordination.

Response – See response to comment 4. The County will advertise the meetings in an effort to increase attendance, but the County cannot be held responsible for a lack of participation by the public or by other agencies.

Responses to December 6, 2005, Heal the Ocean Comment Letter

19. In the comment letter Heal the Ocean submitted to the RWQCB on October 26, 2005, we asserted that our particular concern was that the two largest impaired rivers in the County – the Santa Maria River and the Santa Ynez River – were not included on Table 1. County staff’s first response was that the omission was a mistake, and these impaired rivers were added to Table 1 – however, with the added description, “not in the permit area.”

According to the information presented on the County’s Project Clean Water website, “the County is responsible for implementing the SWMP in the unincorporated urbanized areas of the South Coast, Santa Ynez Valley, and Santa Maria Valley,” yet the County claims now, in the current SWMP draft, that it does not have jurisdiction or enforcement authority for the main water bodies located in these areas.

Response – See response to comment 12 above.

20. Furthermore, several other impaired water bodies, such as the San Antonio Creek, Pacific Ocean at Jalama Beach, and Pacific Ocean at Ocean Beach, have been listed on Table 1 as outside the county permit area, but there is no identification of the "Appropriate Adjacent Land Use Jurisdiction" – thus, it is unclear who is the appropriate agency responsible for implementing a SWMP in these areas. Heal the Ocean insists that further clarification of jurisdiction is required for these areas.

Response – The County of Santa Barbara is responsible for specific urban areas, not the entire unincorporated portion of the County. It is not the County's responsibility to identify the appropriate agency responsible for waterbodies outside the County's permit area. The State and Regional Water Quality Control Boards are responsible for determining the appropriate agency responsible for implementing a SWMP in these areas.

21. Several newly added sections of text in the draft SWMP REV2 reinforce what appears to be a new intention of the County to shift the responsibility for 303(d) water bodies within the County area – by labeling them as "not in permit area." On both page 1-5 and page 3-23 of the current draft SWMP, the County asserts that complaints outside the County's jurisdiction are forwarded to the appropriate regulatory agency responsible for the elimination of illegal discharges. Who or what is this "appropriate regulatory agency"?

Response – The "appropriate regulatory agency" is the agency responsible for water quality in the particular area where the illegal discharge occurred.

22. In addition, (new) language added on page 3-26 of the draft SWMP REV2 states that complaints will be forwarded to the "appropriate agency" to handle illicit discharges, and where the county has authority it will respond. Since the purpose of the SWMP is to spell out, in detail, how the County will handle illicit discharges, this ambiguity is unacceptable. The current draft SWMP does not provide any plan of action for enforcement, nor does it clearly indicate specifically when or where the County has the authority to implement and enforce. This is unacceptable.

Response – The County will adopt a storm water ordinance that will meet the requirements of the General Permit, which includes prohibiting illicit discharges and enforcing that prohibition.

23. The current (verbal/e-mail) explanation given to Heal the Ocean for the sudden removal of the above-referenced rivers and 303(d)-listed water bodies from County jurisdiction is that these waterways are in urban areas. As such, it seems that the majority of responsibility for SWMP implementation in these urban areas lies in the hands of local or municipal agencies.

This last-minute shifting of jurisdiction for so many water bodies within Santa Barbara County is of grave concern to us. If the jurisdiction lies with various municipalities (i.e., the city of Santa Maria, Solvang, Buellton, and others) we have

no choice but to review each one of those SWMPs, to see what is being planned for storm water management in these municipalities – to make sure these critically affected 303(d) water bodies are not falling through the cracks.

Response – See response to comments 1 and 2.

24. Since we are now in a new definition of “urban” and “non-urban” areas as protocol for storm water management, we now also require a clarification from the Regional Water Quality Control Board as to what is meant by “urban area.”

Response – The SWMP includes a map of the urbanized areas that will be covered by the General Permit. The urban areas are defined by the US Census data and concurrence between Water Board staff and the County of Santa Barbara. The General Permit Attachment 2 states, “For counties, permit boundaries must at least be inclusive of urbanized areas. The boundaries must be proposed in the permit application and may be developed in conjunction with the applicable regional water quality control board.”

25. Why has the map legend changed since the last version of the SWMP? The change in language is a serious change (see above), for which explanation is needed.

Response – The County has agreed to include detailed maps with waterbodies.

26. Alamo Creek should be on Table 1 - It is listed as 303(d)

Response – Alamo Creek is located in San Luis Obispo County and none of the Santa Barbara County permit areas drain to that waterbody.

27. Pacific Ocean at Carpinteria State Beach is also impaired for Total Coliform.

Response – Change included in December 31, 2005, SWMP.

28. San Antonio Creek is also impaired for Sediment/Siltation.

Response – Change included in December 31, 2005, SWMP.

29. Page 3-8, in section titled, “Spill and complaint response”: At the end of the first paragraph the reader is referred to appendix D. This appendix contains the hotline referral tree information which needs to be updated.

- o Tommy Liddell is no longer with the County
- o Harry Slikker is no longer with the City of Santa Barbara

Response – Changes included in December 31, 2005, SWMP.

30. Heal the Ocean's comments dated October 26, 2005 point out that the Regional Water Quality Control Board (RWQCB) July 8, 2005, critique of the County SWMP

targets an incorrect assumption by County regarding grading ordinance regulations. The County has asserted that grading ordinance regulations shall not apply to construction work within easements of the Santa Barbara County Flood Control and Water Conservation Districts. While the County has made a verbal explanation of why it feels the current grading ordinance allows for this exemption, there has been no resolution of this point between the County and the Regional Board. This issue, among several that remain unresolved as to Santa Barbara County's plan to deal with storm water problems through its SWMP, are reasons Heal the Ocean cannot agree that the current SWMP draft is acceptable. On this last point, it is imperative that the County make a commitment to have the grading ordinance changed to meet the requirements of the NPDES general permit.

Response – The Santa Barbara Flood Control Agency (Agency) must comply with the Final Program Environmental Impact Report (PEIR) for maintenance activities. The PEIR contains BMPs that the Agency must comply with for their maintenance activities. Any construction project greater than one acre must obtain Construction General Permit coverage and develop a storm water pollution prevention plan. Because the Agency is a county operation, they must also comply and implement BMPs under the municipal operations minimum control measure of the SWMP. The Agency is also required to comply with 401 Certification mitigation measures for work in creeks, which also requires BMP implementation. The majority of Agency projects disturb less than one acre, and therefore would be exempt from construction permitting requirements. Nevertheless, the PEIR and the 401 Certification require BMPs for all activities regardless of project size.

31. While the County has added language to address Attachment 4 requirements for receiving water limitations, other important aspects of Attachment 4 remain unaddressed. The text indicates that the County has a general intent to comply fully with the requirements. However, the document is missing specific references to key provisions. The current draft SWMP indicates only that there will be an "evaluation of existing programs." This is unacceptably weak language. It is also unacceptable that the SWMP, as a legislative tool, does not address the following:

- o (B) Design Standards
 - i. (2) Design Standards Applicable to all Categories
 - 1. (b) Peak Storm water Runoff Discharge Rates
 - 2. (f) Properly Design Outdoor Material Storage Areas
 - 3. (g) Properly Design Trash Storage Areas
 - 4. (h) Provide Proof of Ongoing BMP Maintenance.
 - ii. (3) Provisions Applicable to Individual Priority Project Categories
 - 1. (a) 100,000 square foot Commercial Developments
 - 2. (b) Restaurants
 - 3. (d) Automotive Repair Shops
 - iii. (4) Waiver
 - iv. (5) Limitation on the Use of Infiltration BMPs
 - v. (6) Alternative Certification for Storm Water Treatment Mitigation

The specific requirements of Attachment 4 must be addressed in the County SWMP document.

Response – Appendix F includes the specific Attachment 4 requirements.

Responses to October 26, 2005, Heal the Ocean Comment Letter

32. Update Table 1 to include all impaired water bodies within the jurisdiction of Santa Barbara County.

Response – The December 31, 2005, SWMP includes all of the impaired waterbodies within Santa Barbara County.

33. The County included a section entitled, "Commitment to Implement the SWMP and Continue Existing County BMPs". The County makes statements regarding the effects that budget reductions may have on the program.

Response – Water Board staff will recommend to the Board that the budget language be removed from the SWMP.

34. The County's storm sewer maps show major outfalls and storm drains, but there is no connection made between the two. It is not possible to tell which outfall is associated with a particular storm drain.

Response – Water Board staff reviewed a set of the County's maps and was able to identify storm drains, outfalls, and waterbodies.

35. The SWMP states that the County has a draft storm water ordinance expected to be adopted prior to April 2005. This contradicts SWMP Table 3-4 which indicates the County will assess existing ordinances first.

Response – The County proposes adopting the storm water ordinance in year one and then evaluating the effectiveness of the ordinance in year two and will make recommendations for improvement if necessary. Water Board staff will also review the effectiveness of the storm water ordinance and require changes we feel are necessary.

36. Another concern is whether the County will be able to enforce this (Illicit Discharge Detection and Elimination) MCM when people are found in violation.

Response – The County commits to effectively implementing and enforcing the storm water ordinance. Water Board staff will review County implementation during the annual report process and verify that the County is properly implementing and enforcing their storm water ordinance.

37. The Regional Board requested that the County outline how it would address non-storm water discharges, listed in Table 3-1. The County is required to outline provisions for addressing non-storm water discharges if they are found to be contaminated.

Response – The County has found that, based on water quality monitoring, creekwalks, and citizen complaints, that the listed discharges are not significant sources of pollutants. The County indicates in the SWMP that they will take action to abate any identified pollutant source and will use the enforcement authority under the new storm water ordinance to eliminate pollutant sources.

38. The Santa Barbara Flood Control Agency should not be exempt from the County grading ordinance.

Response – See response to comment 30.

39. An important permit requirement includes procedures for considering public inquiries, concerns, and information regarding local construction activities. The County SWMP contains no such program.

Response – The December 31, 2005 SWMP includes the commitment to review and act on all information submitted by the public concerning construction activities within 24 hours (SWMP page 4-15).

40. The County SWMP must include the specific General Permit Attachment 4 requirements.

Response – See response to comment 31.

41. An important General Permit requirement is the long-term operation and maintenance of post-construction BMPs. The SWMP contains the following statement; "Provisions shall be made for maintenance of BMPs over the life of the project." The County must define "life of the project".

Response – The SWMP now includes the following; "Provisions shall be made for maintenance of BMPs over the life of the project, or the period in which the development exists as permitted.

Responses to September 3, 2004, Heal the Ocean Comment Letter

42. The storm water ordinance mentioned in the August 8, 2003 SWMP version needs to be finalized, adopted, and included in the final SWMP.

Response – Since the 2003 version of the SWMP, the County has revised the draft storm water ordinance and received public input. The County will adopt a storm water ordinance within permit year 1.

43. The County should conduct water quality monitoring in order to determine pollutant sources. The SWMP must include a dedicated, minimal monitoring program for a selection of the County's 303(d) listed waterbodies.

Response – See response to comment 10.

44. The County must be a responsible vehicle for regulating septic system pollution, and include illicit septic system waste discharge in its SWMP.

Response – The County includes a BMP (SWMP pg 3-26) to ensure conversion of failed septic systems when feasible and commits to take action to abate deficiencies that are identified on the septic pumper reports. The County will also eliminate 100% of all illicit discharges reported or discovered by County staff.

45. The County indicates that the storm sewer mapping is complete. This mapping is not complete and the SWMP needs to indicate this fact.

Response - Water Board staff reviewed a set of the County's maps and were able to identify storm drains, outfalls, and waterbodies.

February 14, 2003, Heal the Ocean Comment Letter

The February 14, 2003, Heal the Ocean comment letter was not originally sent to the Water Board. The letter pre-dates the County's initial March 10, 2003, SWMP submittal to the Water Board. The comments in the letter are consistent with comments that have been addressed previously in this document.

February 16, 2002, Heal the Ocean Comment Letter

The February 16, 2002, comment letter was not originally sent to the Water Board and is not in the Water Board record. The letter pre-dates the County's initial March 10, 2003, SWMP submittal to the Water Board. The comments in the letter are consistent with comments that have been addressed previously in this document.