



CITY OF SANTA MARIA
UTILITIES DEPARTMENT
Business Services • Regulatory
Compliance

2065 EAST MAIN STREET • SANTA MARIA, CALIFORNIA 93454-8026 • 805-925-0951 EXT. 7270 • FAX 805-928-7240

May 21, 2014

VIA ELECTRONIC MAIL [commentletters@waterboards.ca.gov]



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

SUBJECT: COMMENT LETTER – SANTA MARIA PESTICIDE TMDL

Dear Ms. Townsend:

The City of Santa Maria (“City”) appreciates this opportunity to provide written comments on the Santa Maria Pesticide TMDL. This is the third TMDL¹ for the Santa Maria River to be considered by the State Board within the last 18 months, and the TMDL, along with the City’s other water quality requirements, presents challenges and opportunities for the City. The purpose of this letter is not only to underscore some of the challenges presented by the Santa Maria Pesticide TMDL, but also to stress some of the opportunities the City intends to pursue.

As the City has stated on numerous occasions to both the State and Regional Board, the City’s drainage system contains unique features. The Bradley Channel, the Blosser Channel, and the Main Street Canal, which serve as the City’s backbone drainage infrastructure, are manmade ditches or lined channels that were constructed in or about the 1960s in areas where no previous watercourse existed. These ditches and channels are most appropriately viewed as part of the flood control/storm water system, and not as “water bodies” under the Basin Plan.

In addition, these ditches and channels receive significant discharges from agricultural activities. During both dry and wet weather, a significant portion, and at many times all of the flow in these ditches and channels is from agriculture. Even if the City were to stop all of its urban discharges, the impairments addressed by the Santa Maria Pesticide TMDL would remain because of other inputs into the system.

Added to these two challenges is that the City has no legal authority to stop the basic sources of pesticide water pollution. As the Santa Maria Pesticide TMDL acknowledges,

¹ A fourth TMDL for salts is also proposed.

State and Federal pesticide regulators – not the City – have the legal authority and obligation to stop the basic sources of pesticide water pollution.

Because of these significant constraints, the City greatly appreciates the final approach taken by the Regional Board to assessing compliance with the Santa Maria Pesticide TMDL, with some minor caveats.² The TMDL recognizes the City's lack of legal authority to address the true sources of the impairment, and then recognizes that compliance may be achieved through "participation in statewide efforts, by organizations such as California Stormwater Quality Association ("CASQA"), that coordinate with DPR and organizations taking action to protect water quality from the use of pesticides in the urban environment" Given the City's limited legal authority, this approach is appropriate.

However, an important correction to the proposed Basin Plan Amendment is necessary to fully implement this approach. The City previously requested that the following phrase on page 20 of the Basin Plan Amendment be deleted: *"though sole reliance on such statewide efforts may not be adequate."* At the January 30, 2014 Regional Board hearing, the City understood that the Regional Board had agreed to delete this phrase, which does not appear in the related section of the TMDL Technical Report. To be consistent with the Regional Board action at the hearing and to remain consistent with the overall approach, the State Board should delete this phrase from the Basin Plan Amendment.

The City would also like to take this opportunity to reiterate its desire to work with the Regional and State Boards to develop an Integrated Plan to achieve the City's water quality requirements. Since the time the City first-mentioned this approach to the State Board in connection with the Santa Maria Nutrient TMDL, the City has submitted an Integrated Plan proposal to the Regional Board and has met several times with the Board to move that process forward. Key to the successful development of an Integrated Plan is a regulatory structure that supports watershed based efforts and has sufficient flexibility to accommodate watershed compliance approaches. The City's minor requested change above to the Santa Maria Pesticide TMDL would support that effort.

Sincerely,



RICHARD G. SWEET, P.E.
Director of Utilities

² The City continues to believe that the pyrethroid targets used in the TMDL are not achievable or appropriate. However, because there are not pyrethroid specific WLAs, this issue is not crucial to the final TMDL.