



DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**

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August 11, 2006

Song Her, Clerk to the Board  
Executive Office  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

**RE: Comment Letter – ASBS Special Protections**

To Whom It May Concern:

The Humboldt County Department of Public Works has reviewed the draft Special Protections-Areas of Special Biological Significance (ASBS), Storm Water and Nonpoint Source Discharges (Special Protections), dated June 14, 2006. These Special Protections would apply to storm water discharges to the Kings Range ASBS from the community of Shelter Cove, Humboldt County. We also attended the Public Scoping Meeting held in Santa Rosa on August 1, 2006. Base on discussion at the meeting and our review, the Department has the following concerns and comments regarding the Special Protections.

General Comment

While some terms and phrases are defined at various points throughout the Special Protections document, it would be helpful to have a comprehensive definitions section (e.g. Glossary of Terms).

Page 5 - Non-Storm Water Runoff

Item #1 allows discharges associated with emergency fire fighting operations. Other emergency operation discharges should also be allowed. Examples include but are not limited to discharges associated with dewatering flooded areas and discharges due to natural disasters such as pipeline breaks during earthquakes.

Page 5 - ASBS Natural Water Quality

This section states that the "natural water quality" of each ASBS will be determined using approved reference monitoring stations. However, these stations are not yet in place. When will there be enough data available to define the natural water quality for each ASBS? Will dischargers be notified when these determinations are available, and will there be the opportunity to provide input?



Pages 5 through 9 - Monitoring

We are concerned that the list of monitoring parameters, presented as minimum requirements, is excessive for monitoring storm water discharges from a small residential community located in a rural county. To our knowledge, the State Water Board has not conducted an economic analysis to identify the costs for compliance with the proposed rules. Based on our assessment, the cost of compliance would create a financial hardship and would divert the County's resources from addressing other critical needs. Moreover, the extensive monitoring requirements will likely be counterproductive, because they will consume resources that could otherwise be used to identify and reduce sources of contamination.

Many of the listed requirements are inappropriate for some dischargers (for example, testing for pesticide components in an area with no agriculture). A more cost-effective and equally protective approach is the concept of adaptive monitoring whereby monitoring requirements are developed on a site-specific basis to reflect the nature of the ASBS, discharge location, surrounding land uses, and potential pollutants. This concept was introduced at the August 1 Public Scoping Meeting. Using this approach, the list of monitoring requirements presented in the draft Special Protections document could be viewed as a suite of potential requirements, from which the most appropriate items are chosen to design an individualized monitoring program. Flexibility in constituents to be monitored would allow focus on each discharger's particular waste issues, provide useful information (rather than extraneous information), and demonstrate the Board's awareness and concern regarding monitoring cost effectiveness and discharger funding issues.

Page 9 - Time Schedule Order

Time Schedule Item #2 requires a 25% reduction in constituent concentration starting in year two, with subsequent 25% reductions in each following year. Based on our experience, institution of some effective best management practices could take more than one year to implement. However, once implemented, they may reduce the constituent by much greater than 25%. It is suggested that this item be modified to require an average of 25% reduction each year over the five-year period.

Thank you for the opportunity to comment on the draft Special Protections. Please feel free to contact me if you have any questions regarding these comments and suggestions.

Very truly yours,



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