

8/1 and 8/15 Meetings  
ASBS Special Protections  
Deadline: 8/15/06 5pm



Marin County Department of Public Works  
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Tel. (415) 499-6528 Fax (415) 499-3799  
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Via Email (commentletters@waterboards.ca.gov)  
August 14, 2006

Member  
Agencies:

Belvedere

Corte Madera

County  
of Marin

Fairfax

Larkspur

Mill Valley

Novato

Ross

San Anselmo

San Rafael

Sausalito

Tiburon

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

Subject: Comment Letter – ASBS Special Protections

Dear Ms. Her,

The Marin County Stormwater Pollution Prevention Program (MCSTOPPP) appreciates the opportunity to comment on the June 14, 2006, Draft Staff Proposal entitled *Special Protections - Areas of Special Biological Significance*. The Draft Staff Proposal presents the proposed requirements for stormwater dischargers once they are granted an exception to the Ocean Plan requirement to prohibit waste discharges (including nonpoint source stormwater discharges) to Areas of Special Biological Significance (ASBS). MCSTOPPP is a joint effort of Marin's cities, towns and unincorporated areas to prevent stormwater pollution, to protect and enhance water quality in creeks and wetlands, to preserve beneficial uses of local waterways, and to comply with State and Federal regulations.

Please accept the following comments on the ASBS Special Protections Draft Staff Proposal:

1. **A comprehensive monitoring program will better answer questions about water quality and the health of marine life within ASBS regions throughout California.**

The Southern California Model Stormwater Monitoring program provides an excellent example of how stormwater dischargers can pool resources to effectively address stormwater discharges and evaluate the effects of such discharges on receiving waters. The disjointed approach that is suggested in the Draft Staff Proposal will not maximize our understanding of water quality or marine life health within ASBSs. A comprehensive monitoring approach would be a cost-effective solution for stormwater programs like MCSTOPPP, would produce higher quality data, and would allow stormwater programs to focus on pollution source detection and control within ASBS watersheds. MCSTOPPP would welcome the opportunity to contribute to a comprehensive monitoring approach.



2. **We support a program whereby permit fees fund a statewide reference area monitoring program administered by the State Board's Surface Water Ambient Monitoring Program (SWAMP).**
3. **If stormwater dischargers are required to conduct ASBS water quality monitoring in order to maintain a permitted discharge to the ASBS, please allow a flexible, watershed-specific approach that considers land uses and likely pollution sources.**

Monitoring requirements set forth in the Draft Staff Proposal will divert funds away from MCSTOPPP's countywide stormwater discharge control efforts. Although not required by our NPDES Phase II Permit for small MS4 regions, Marin County has implemented a bioassessment monitoring program in the eastern, densely-populated portion of the County. We are very interested in understanding water quality through monitoring in our County. However, the proposed monitoring requirements in the Draft Staff Proposal will require us to devote a disproportionate amount of our entire budget to a very small geographic area. Stormwater programs should be allowed to collaborate with their Regional Board to develop a cost-effective, tailor-made monitoring program that incorporates adaptive management, and effective BMP implementation.

4. **The Draft Mitigated Negative Declaration that will be prepared for the proposed ASBS Special Protections to address stormwater and nonpoint source discharges should include an economic analysis of the impact of the proposed monitoring requirements in the Draft Staff Proposal on stormwater programs such as MCSTOPPP.**
5. **The Draft Mitigated Negative Declaration should include a peer-reviewed analysis of the monitoring approach suggested in the Draft Staff Proposal. It should compare the proposed monitoring approach to a comprehensive monitoring approach.**

In closing, MCSTOPPP supports the State's effort to control discharges to ASBS. We believe that a collaborative effort by all stakeholders is necessary to reduce and then eliminate discharges to ASBSs throughout California. Thank you for your accepting and considering our comments.

Yours truly,

Liz Lewis  
Creek Naturalist  
Stormwater Program Administrator

cc: Tam Doduc, Chair SWRCB (via email to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov))