

## State Water Resources Control Board

**MAR 27 2015**

Ms. Julie Casagrande  
County of San Mateo  
400 County Center  
Redwood City, CA 94063

Dear Ms. Casagrande:

### COMMENTS ON DRAFT COMPLIANCE PLAN FOR JAMES V. FITZGERALD (NO. 9) AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE FROM THE COUNTY OF SAN MATEO

The State Water Resources Control Board (State Water Board) received the Areas of Special Biological Significance (ASBS) draft Compliance Plan from the County of San Mateo (County) dated September 22, 2014. A draft Compliance Plan is required under Section I.A.3.b. of Attachment B of the State Water Board's Resolution No. 2012-0012 *Approving Exceptions to the California Ocean Plan for Selected Discharges into Areas of Special Biological Significance, Including Special Protections for Beneficial Uses, and Certifying a Program Environmental Impact Report (General Exception)*. Attachment B in the General Exception contains the *Special Protections for Areas of Special Biological Significance, Governing Point Source Discharges of Storm Water and Nonpoint Source Waste Discharges (Special Protections)*, which describes special conditions required of the discharger.

State Water Board staff has reviewed the draft Compliance Plan and provides the following comments:

1. **Map of storm water runoff:** Section I.A.2.a. of the Special Protections requires a map of surface drainage of storm water runoff, showing areas of sheet runoff, prioritized discharges, and a description of any structural Best Management Practices (BMPs) already employed or to be employed. Prioritized discharges are those that pose the greatest water quality threat and which are identified to require installation of structural BMPs. The map also shall show storm water conveyances in relation to sewage conveyances and treatment facilities, landslides, areas prone to erosion, and waste and hazardous material storage areas if applicable.

The maps in Figures 3.1, 3.2, 3.3, 3.4 and 5.1 of the draft Compliance Plan show surface drainage of storm water runoff, discharge sites, BMP locations, and areas prone to landslides. However, these maps do not depict areas of sheet runoff; prioritized discharges; or storm water conveyances in relation to sewage conveyances, treatment facilities, areas prone to erosion, and waste and hazardous waste storage. Please update the maps to incorporate these requirements in the final Compliance Plan, if applicable.

2. **Non-authorized non-storm water runoff:** Section I.A.2.b. of the Special Protections requires a description of the measures by which all non-authorized non-storm water runoff has been eliminated, how the measures will be maintained over time, and how these measures are monitored and documented.

The draft Compliance Plan identifies non-authorized non-storm water runoff discharge elimination practices. However, the draft Compliance Plan does not clearly state how these measures will be maintained over time and how these measures are monitored and documented. Please include this information in the final Compliance Plan.

3. **Additional requirements for parks and recreation facilities:** The County has jurisdiction over two parks listed in the draft Compliance Plan: the Fitzgerald Marine Reserve (Reserve) and Pillar Point Bluff. Section II of the Special Protections stipulates additional requirements for parks and recreation facilities, for which the County may need to provide additional information or greater specificity regarding how existing or planned measures apply to the Reserve and Pillar Point Bluff in the final Compliance Plan.

- a. **Pollutant source identification:** Section II.A.1. of the Special Protections requires the Compliance Plan to identify all pollutant sources, including sediment sources, which may result in waste entering storm water runoff.

The draft Compliance Plan does not identify all pollutant sources, including sediment sources, which may result in waste entering storm water runoff from the Reserve and Pillar Point Bluff. Please include this information in the final Compliance Plan.

- b. **BMPs or Management Measures/Practices for soil erosion:** Section II.A.2. of the Special Protections requires the Compliance Plan to describe BMPs or Management Measures/Practices that will be implemented to control soil erosion (both temporary and permanent erosion controls) and to reduce or eliminate pollutants in storm water runoff in order to achieve and maintain natural water quality conditions in the affected ASBS. The plan shall include BMPs or Management Measures/Practices to ensure that trails and culverts are maintained to prevent erosion and minimize waste discharges to ASBS.

In the draft Compliance Plan, Section 3.0 states that the Bluff Trail and the Jean Lauer Trail are maintained by the County Parks Department. In addition, Section 4.4 mentions that trail-related maintenance activities are included in the Maintenance Standard manual. Please describe these trail-related maintenance activities and how they prevent erosion and minimize waste discharges to the ASBS in the final Compliance Plan. If additional BMPs or Management Measures/Practices for controlling soil erosion and reducing or eliminating pollutants in storm water runoff are necessary, please describe and explain them in the final Compliance Plan.

- c. **BMPs or Management Measures/Practices for pesticides:** Section II.A.3. of the Special Protections requires the Compliance Plan to include BMPs or Management Measures/Practices to prevent discharge of pesticides or other chemicals, including agricultural chemicals, in storm water runoff to ASBS.

In the draft Compliance Plan, Section 4.1.C.9. discusses the Integrated Pest Management (IPM) Policy the County has implemented in order to control pesticide toxicity. However, the draft Compliance Plan does not include an explanation of the BMPs or Management Measures/Procedures, such as the IPM, that are employed in the parks to prevent the discharge of pesticides or other chemicals in storm water runoff into the ASBS. In the final Compliance Plan, please specify and explain this information explicitly for the Reserve and Pillar Point Bluff.

- d. **BMPs or Management Measures/Practices for public education and outreach:** Section II.A.4. of the Special Protections requires the Compliance Plan to include public education and outreach BMPs or Management Measures/Practices, which inform the public that waste discharges to affected ASBS are prohibited or limited by conditions described in the Special Protections. The BMPs or Management Measures/Practices shall include signage at camping, picnicking, beach and roadside parking areas, and visitor centers, or other appropriate measures, which notify the public of any applicable requirements of these Special Protections and identify the ASBS boundaries.

State Water Board staff appreciates the detailed information regarding public education and outreach employed by the County in Section 5.1.3. of the draft Compliance Plan and the attached examples in Appendix A. However, Section II.A.4. of the Special Protections requires the County to include a description of public outreach and education employed specifically at parks and recreation facilities to inform the public that waste discharges to the affected ASBS are prohibited or limited by the conditions described in the Special Protections. If applicable, in the final Compliance Plan, please specify how the County's existing public outreach and education efforts apply to this requirement for Pillar Point Bluff and the Reserve. If applicable, please also include additional BMPs or Management Measures/Practices necessary to comply with the requirements of Section II.A.4 in the final Compliance Plan.

In addition, in the draft Compliance Plan, Section 4.3 mentions a plan for a new visitor program and an education center for the Reserve. In the final Compliance Plan, please describe and explain how the visitor program and education center will incorporate public outreach and education regarding how waste discharges to the affected ASBS are prohibited or limited.

- e. **BMPs or Management Measures/Practices for trash:** Section II.A.5. of the Special Protections requires the Compliance Plan to include BMPs or Management Measures/Practices that address prohibition against the discharge of trash to ASBS. BMPs or Management Measures/Practices shall include measures, to ensure that adequate trash receptacles are available for public use at visitor facilities, including parking areas, and that receptacles are adequately maintained to prevent trash discharges into ASBS.

In the draft Compliance Plan, Section 4.1.C.10. discusses trash load reduction efforts by the County in accordance with the Municipal Regional Permit (MRP), including volunteer cleanup efforts at the Reserve. In the final Compliance Plan, please describe and explain how the county-wide efforts to comply with the MRP and any additional measures are specifically employed at the Reserve and Pillar

Point Bluff to prevent the discharge of trash in the ASBS, including ensuring adequate trash receptacles are available for public use and that receptacles are adequately maintained.

- f. **BMPs or Management Measures/Practices for parking areas and other developed features:** Section II.A.6. of the Special Protections requires the Compliance Plan to include BMPs or Management Measures/Practices to address runoff from parking areas and other developed features to ensure that runoff does not alter natural water quality in the affected ASBS. BMPs or Management Measures/Practices shall include measures to reduce pollutant loading in runoff to ASBS through installation of natural area buffers (low impact development), treatment, or other appropriate measures.

In the draft Compliance Plan, Section 5.2.1. describes the plans for the Reserve Green Parking Lot Demonstration Project. The County of San Mateo approved of a design in 2014, and construction was planned for fall 2014. In the final Compliance Plan, please provide an update on whether construction on the parking lot project has been completed.

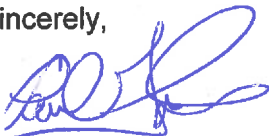
- g. **Maintenance and repair of parks and recreation facilities:** Section II.B. of the Special Protections stipulates that maintenance and repair of parks and recreation facilities must not result in waste discharges to ASBS. Dischargers must minimize or eliminate road oiling, and it must not result in waste discharge to ASBS.

In the draft Compliance Plan, Section 4.4 mentions maintenance activities are outlined in the Maintenance Standards manual. Please describe and explain how maintenance and repair of park facilities does not result in waste discharges to the ASBS in the final Compliance Plan.

Staff appreciates the efforts of the County of San Mateo on the draft Compliance Plan and will continue to collaborate to resolve the comments mentioned in this letter as needed. Please submit the final Compliance Plan addressing these comments for approval by the State Water Board Executive Director by September 20, 2015.

For further questions pertaining to this subject matter, please contact Ms. Katherine Faick at (916)445-2317 or [Katherine.Faick@waterboards.ca.gov](mailto:Katherine.Faick@waterboards.ca.gov) or Dr. Maria de la Paz Carpio-Obeso at (916) 341-5858 or [MarielaPaz.Carpio-Obeso@waterboards.ca.gov](mailto:MarielaPaz.Carpio-Obeso@waterboards.ca.gov).

Sincerely,



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