



County of Santa Barbara Public Works Department
Project Clean Water

123 E. Anapamu Street, Suite 240, Santa Barbara, CA 93101
(805) 568-3440 FAX (805) 568-3434
www.sbprojectcleanwater.org



SCOTT D. MCGOLPIN

Director
November 13, 2012

THOMAS D. FAYRAM

Deputy Director

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



Subject: Comment Letter – Receiving Water Limitations Language Workshop

Dear Ms. Townsend and Members of the Board:

The County of Santa Barbara would like to thank the State Water Board for holding a workshop on this important topic of receiving water limitations language in stormwater permits. Like many municipal permittees throughout the State, the County of Santa Barbara is concerned about the current receiving water limitations language in the draft Phase II Municipal General Permit due to the recent Ninth Circuit Court of Appeals ruling and its disconnect with the previous State Water Board's Order WQ 99-05. The Ninth Circuit opinion concluded that water quality standards must be strictly complied with and that implementing the iterative process does not provide a safe harbor against enforcement by the state or a 3rd party lawsuit. Because municipal and roadway runoff often exceeds water quality standards and because we often have no control over the sources of pollution, changing the language in the permit is essential if MS4s are to have any chance of being in compliance with our Storm Water Permits.

The California Stormwater Quality Association (CASQA) has been working with State Water Board staff to develop appropriate receiving water language that will ensure protection of water quality but that will provide a safe harbor to dischargers that are engaged in the iterative process or are complying with TMDLs. The County of Santa Barbara is in full support of the permit language being proposed by CASQA and we encourage the State Water Board to adopt this language into the Phase II Municipal General Permit.

Thank you for considering this request.

Sincerely,

A handwritten signature in black ink that reads "Joy Hufschmid".

Joy Hufschmid
Project Clean Water Manager
Santa Barbara County Public Works Department