



CITY OF
LOMPOC

DRAFT

September 15, 2009

Central Coast Regional Water Quality Control Board Members
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Subject: The City of Lompoc's Interim Hydromodification / Low Impact Development Criteria

Dear Members of the Central Coast Regional Water Quality Control Board:

On October 17, 2008, the Central Coast Regional Water Quality Control Board (CCRWQCB) conditionally approved the City of Lompoc's National Pollutant Discharge Elimination System (NPDES) Municipal, Phase II permit and Storm Water Management Program (SWMP), subject to a Table of Required Revisions, over the City's objections. One of the requirements in the Table of Required Revisions is the development and implementation of Interim Hydromodification / Low Impact Development Criteria within the first year of the permit.

Much has happened in the past year with regard to the development of LID and hydromodification control standards on the Central Coast and in the state of California. On the state level, LID and hydromodification control standards are being included in the revised NPDES Phase II MS4 Municipal Storm Water Permit, scheduled for adoption in late Fall 2009. The revised General Construction Storm Water permit was adopted by the State Water Quality Control Board on September 2, 2009, and imposes its own LID / Hydromodification requirements on projects not covered under a Phase I or Phase II Municipal Storm Water Permit. Contra Costa County has developed LID / Hydromodification standards, as has San Diego County. In May 2009, the Los Angeles Regional Water Quality Control Board (Region 4) adopted LID / Hydromodification standards for Ventura County's regional MS4 permit. During the next two years CCRWQCB staff, in conjunction with the Central Coast LID Center, proposes to develop a "recipe" by which additional LID / Hydromodification requirements can be developed for Region 3.

Given the number and variety of LID / Hydromodification Control standards that have been and are being developed, the City of Lompoc has chosen to propose LID / Hydromodification standards based on those found in Ventura County's recent

Municipal Storm Water permit renewal. While these standards are quite similar to the requirements found in the February 15, 2008 letter prepared by the Central Coast Region's staff, they allow some flexibility in meeting the standards for infill and smart growth, while still ensuring that water quality improvements are made. More importantly, they are the result of a collaboration between Ventura County, the cities within it, and the Natural Resources Defense Council (NRDC) and Heal the Bay. The resulting LID / Hydromodification Control regulations were endorsed by the United States Environmental Protection Agency (USEPA).

Staff has prepared a strike-out version of Ventura County's requirements reflecting the City's proposal (Attachment 1), as well as a condensed version of these same proposed guidelines (Attachment 2) to allow for easier understanding of the new requirements by the public.

Because these requirements do differ from the exact standards contained in the CCRWQCB staff's letter of February 15, 2008, the City of Lompoc requests a hearing before your Board to provide an opportunity for full consideration of the City's proposal. The City's proposed LID / Hydromodification requirements will be implemented as of October 18, 2009, and all discretionary projects, not yet deemed complete, will be subject to the new guidelines.

The City of Lompoc continues in its concern that inconsistencies between state and local LID and Hydromodification Control requirements will result in a regulatory quagmire, a burden that promises to quash both new development and redevelopment, resulting in no new water quality benefits, while stifling economic recovery. As the City is required to adopt Interim LID / Hydromodification Guidelines, we believe that adopting guidelines agreed upon by both local governments and environmental organizations and the USEPA is the wisest course.

Sincerely,

Michael A. Siminski, Mayor
City of Lompoc

cc: Lompoc City Council
Roger Briggs, Executive Director, CCRWQCB
Dominic Roques, P.G., CCRWQCB staff

Encl.