



735 State Street #201, Santa Barbara, CA 93101; (mail) PO Box 90106, Santa Barbara, CA 93190
Telephone (805 965-7570; fax (805 9620651

Thursday August 21, 2008

Via Electronic Mail

Mr. Brandon Sanderson
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Dear Mr. Sanderson:

On behalf of Heal the Ocean, please accept the following comments on the City of Lompoc's draft Storm Water Management Program (SWMP) dated September 2008. Generally, we are pleased with the response of the City to the requests made by the Regional Water Quality Control Board in its August 12, 2008 letter. HTO concurs with the comments and points made in the Table of Required Revisions outlined in that letter, and we are therefore limiting our comments to issues not addressed in that letter, but which we believe require additional attention.

General Comment

The City of Lompoc SWMP needs to describe efforts to coordinate with the County of Santa Barbara to address storm water runoff from Vandenberg Village and Mission Hills. While Heal the Ocean (HTO) understands these areas are not within the City's jurisdiction and are managed by the County of Santa Barbara, these communities border Lompoc and the Santa Ynez River – a 303(d) listed impaired water body. Due to the 303(d) listing, the City must recognize in its SWMP the potential need to revise the requirements of its SWMP when a TMDL is developed for the Santa Ynez River.

HTO suggests that the City provide a description of all outside agencies, including the County of Santa Barbara Flood Control, which will be involved in the implementation of the City of Lompoc SWMP.

Heal the Ocean encourages the City to facilitate greater stakeholder participation during the five-year permit period. We suggest the development of an interested-parties e-mail list that can be used

to encourage public participation in the review of subsequent SWMP annual reports and ordinance adoption. Interested stakeholders may be identified during community events and meetings.

Because the SWMP will form the basis for the City of Lompoc's action over the next five years, the MEP standard should be more fully explained. The following text is copied from the State Water Resources Control Board's Phase II Small MS4 General Permit Questions and Answers Document:

The MEP standard involves applying best management practices (BMPs) that are effective in reducing the discharge of pollutants in storm water runoff. In discussing the MEP standard, the State Board has said the following: "There must be a serious attempt to comply, and practical solutions may not be lightly rejected. If, from the list of BMPs, a permittee chooses only a few of the least expensive methods, it is likely that MEP has not been met. On the other hand, if a permittee employs all applicable BMPs except those where it can show that they are not technically feasible in the locality, or whose cost would exceed any benefit to be derived, it would have met the standard. MEP requires permittees to choose effective BMPs, and to reject applicable BMPs only where other effective BMPs will serve the same purpose, the BMPs would not be technically feasible, or the cost would be prohibitive." (Order No. WQ 2000-11, at p.20.) MEP is the result of the cumulative effect of implementing, continuously evaluating, and making corresponding changes to a variety of technically and economically feasible BMPs that ensures the most appropriate controls are implemented in the most effective manner. This process of implementing, evaluating, revising, or adding new BMPs is commonly referred to as the iterative approach (see question 4). For Small MS4s, EPA has stated that pollutant reductions to the MEP will be realized by implementing BMPs through the six minimum measures described in the permit. (64 Federal Register 68753.)

http://www.waterboards.ca.gov/water_issues/programs/stormwater/smallms4faq.shtml

Business and Industry Inspection Program

Section 1.1.14 of the Lompoc SWMP indicates that the City-owned Industrial facilities will be reviewed, and industrial storm water permits revised, to address storm water pollution, but this section does not specify when this review will be complete. HTO recommends including into the SWMP a Measurable Goal (MG) specifying when the review will be complete.

The City's abnegation of responsibility for addressing separately permitted facilities is disconcerting. It is the City's responsibility to ensure applicable industrial facilities are registered and in compliance with the State's general industrial permit. Therefore, a component of this BMP should include a cross reference of Standard Industrial Classification (SIC) codes between the City's business license database and those within its jurisdiction that have filed Notices of Intent (NOIs). Inspection and enforcement of non-filers should be a priority.

The SWMP indicates the City will only inspect the commercial and industrial uses that contribute to the City's Wastewater Reclamation Plant. It is unclear whether this program of inspecting commercial and industrial facilities will cover all facilities. The city must ensure that all commercial and industrial uses within the City's permit jurisdiction will be inspected on a periodic basis. The SWMP must indicate how often inspections will be conducted and the percentage of commercial

and industrial facilities inspected per year. The SWMP should also describe how the City's Wastewater Resources Protection Technician will be trained to identify violations.

Landfill Drainage

Given the delays in completing and approving the SWMP the City must now be required to take aggressive steps towards implementing the provisions outlined in the SWMP. There is absolutely no reason why it should take 3 years to prepare a plan to address potential storm water pollution posed by the City's landfill. The City must commit to prepare a plan to modify the City's landfill detention basin during Year 1. And if the basin is found to be a source of pollution, the City must commit to correcting this problem as soon as it is detected.

Agricultural Tailwater

Heal the Ocean asks that the City of Lompoc develop a concrete plan of action to better understand and address pollutants from agricultural tailwater as it commingles with agricultural runoff.

Intra-agency Coordination

Intra-agency coordination is a critical component for ensuring that the many City departments responsible for implementing the SWMP are kept informed on the effectiveness of the program and any changes that may need to be made to improve the effectiveness of the SWMP. The City of Lompoc's draft SWMP describes only two Program Development meetings with affected City departments during the five-year permit period, and this is not frequent enough to be effective. HTO requests that the City hold more frequent formal intra-agency meetings. In this case, we suggest quarterly meetings as a more appropriate Measurable Goal.

Public Outreach

The BMP for public outreach lacks sufficient detail. The City should explain specifically how it will advertise the availability of the storm water presentations as described in section 2.3.4 of the draft SWMP. Heal the Ocean recommends the City commit to more than simply "offering" presentations and instead commit to presenting/attending five public events each year. In addition, the City could advertise the availability of additional presentations on request. HTO also suggests more emphasis on organizing events targeted to the city's Hispanic population. In addition, the City should provide a more detailed description of the specific target audiences that will be reached through public education efforts, and provide a description of how public education efforts will be tailored to reach each specific target audience.

Storm Water Hotline

The City must commit to providing a storm water hotline that is available 24 hours per day. It must also respond to all calls coming into the hotline within 24 hours, even on weekends, holidays and after business hours. The SWMP should describe these measures and also describe the process the

City will use to follow up on hotline calls referred to other departments. HTO recommends that the City develop a Storm Water Hotline tracking system that is integrated into a greater enforcement database so that response times, actions, success rate, and the like can be measured.

Non-Storm Water Discharges

The list of Exempt Non-Storm Water Discharges on page 35 of the draft SWMP is incomplete. To complete the list the following must be added: discharges from potable water sources, air conditioning condensation, and flows from riparian habitats and wetlands.

Illicit Discharge and Detection Evaluation of Surface and Subsurface Storm Drain System

Heal the Ocean supports the City's efforts to inspect the surface and subsurface components of its storm drain system. However, the SWMP identifies this activity as taking place in Year 3 of the permit. This is patently unacceptable, and is likely the largest deficiency of the SWMP. The City must commit to begin surveying the storm drain system in Year 1, as well as indicate when the survey of the entire system will be complete. In addition, the SWMP needs clearer language as to whether this survey is a onetime event or an ongoing activity.

Miguelito Creek Cleanup

Based on the description of the "mucky mess" trash problem in Miguelito Creek, the City should commit to clean up the trash at the end of the creek during Year 1. The City should also commit to inspect this area and clean up the trash on a regular basis. Annual inspections before the rainy season should be required.

The County of Santa Barbara Annual Routine Maintenance Plan (2008-09) indicates that on an annual basis Miguelito Channel is cleared of garbage and other debris with a loader. An application of herbicide is made to sterilize expansion joints and dirt above the concrete channel where weeds are either burned or sprayed for fire control. The County of Santa Barbara's Flood Control Map of Miguelito Channel is provided as an appendix to this letter. Since Flood Control's maintenance program has a significant impact on water quality, the City of Lompoc SWMP must describe BMP implementation for this Annual Routine Maintenance Plan activity

Construction Site SWPPP and Waste Disposal Inspections

The proposed inspection schedule of construction sites – once between June and September and once per month between October and May – is patently unacceptable. This inspection schedule is particularly sparse given that the City recognizes its development potential, per the City's own language in its SWMP introduction. This introduction indicates there are only five parcels over an acre in size that can be developed. This language needs clarification regarding other areas of the City where properties over an acre have the potential for development or re-development. The city must also commit to more frequent inspections of construction sites over an acre. Heal the Ocean

recommends weekly inspections between June and September and daily inspections between October and May.

Heal the Ocean appreciates this opportunity to comment on the City of Lompoc SWMP.

Sincerely,

A handwritten signature in cursive script that reads "Priya Verma".

Priya Verma, policy analyst

A handwritten signature in cursive script that reads "Hillary Hauser".

Hillary Hauser, executive director

cc: Dominic Roques, Central Coast Regional Water Quality Control Board
Stacy Lawson, city of Lompoc
Kira Redmond, Santa Barbara Channelkeeper