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Mr. Roger Briggs  
Executive Officer  
RWQCB, Central California Region  
896 Aerovista Place, Suite 101  
San Luis Obispo, CA 9340

CC: Ms. Suzanne Healy, City of Santa Cruz

January 18, 2009

**Re: Monterey Coastkeeper Comments on the draft Stormwater Management Plan dated October 2008 for the City of Santa Cruz**

Dear Mr. Briggs,

Thank you for the opportunity to offer comments regarding the City of Santa Cruz's draft Stormwater Management Plan, posted in November 2008.

The Monterey Coastkeeper has been involved in the public process surrounding stormwater in Santa Cruz since mid 2008. We have made every effort to keep an open dialogue with the agencies applying for coverage under the NPDES General Permit in an effort to express our concerns early enough to be productive. The City of Santa Cruz has been especially receptive to our comments and suggestions. We are, for the most part, supportive of the City's stormwater program; we consider it to be one of the more progressive programs out of the plans in the Santa Cruz region. **We furthermore would like to note that the City has proactively sought out funding for their program through the passage of Measure E in the November 2008 election—a clear sign from the voting public that stormwater pollution is a priority that needs to be addressed.**

Given this mandate, along with the existing requirements of federal and state law, we believe that the City of Santa Cruz has the resources and the public support to enact an effective and widespread stormwater program that includes not only the basics of stenciling storm drains and passing out

brochures, but a more comprehensive approach to watershed management that includes strict language committing the City to smart, low impact development, good municipal and industrial practices, and other tangible items that will prevent pollution at the core.

For the most part, the Santa Cruz SWMP is thorough and informative. The authors of the plan have clearly made an effort to make the plan tangible and implementable. We particularly appreciate the inclusion of cross referenced ordinances and information, such as a list of department contacts, a thorough series of attachments which include all referenced BMPs, and other documents relevant to the program. This is incredibly helpful, and suggests a welcome transparency. Furthermore, we note a marked improvement on the quality of the SWMP's measurable goals from former drafts; the goals are now, for the most part, quantitative and appropriate indicators of success.

That said we have several remaining concerns with the draft plan. Our first concern is the omission of the specific required language committing the City to the interim hydromodification criteria put forth by Board staff. While we appreciate the City's commitment to "minimize the alteration of natural watercourses...the impact of new developments or remodeling projects...and water quality impacts from post-construction runoff," (draft SWMP, Chapter 6, page 1) we are concerned by the omission of any language committing the City to technical hydromodification criteria. We fully support the inclusion of the language included in the Board staff's Required Revisions from the November 13, 2008 letter, item no. 6, in which the goals and expected effectiveness of the alternative interim hydromodification criteria are stated explicitly:

- For new and re-development projects, Effective Impervious Area shall be maintained at less than five percent (5%) of total project area.
- For new and redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface, the post-construction runoff hydrographs shall match within one percent the pre0construction runoff hydrographs, for a range of events with return periods from 1-year to 10-years.
- For projects whose disturbed project area exceeds two acres, preserve the pre-construction drainage density (miles of stream length per square mile of watershed) for all drainage areas serving a first order stream or larger, and ensure that post-project time of concentration is equal or greater than pre-project time of concentration.

While we accept the extension of time given to the City to develop locally acceptable hydromodification standards, and acknowledge the inclusion of a timetable, we support Board staff in requiring the inclusion of more stringent language committing the City to interim criteria, and the development of permanent criteria.

Next, I would like to address the necessity for minimum buffer zones of 30 feet for developments along riparian corridors and wetlands. This is a minimum standard that the Board has upheld in the past; we believe that the Board should continue to uphold this standard. The City's City-Wide Creeks and Wetlands Management Plan, designed to protect riparian areas, wetlands and their buffer-zones is comprehensive; however Attachment 4 of the General Permit states that in the occasion where Design

Standards conflict with local practices, “the Permittee may continue the local practice...except that to the extent that the standards in the Design Standards are more stringent than those under local codes or other regulatory mechanism, such more stringent standards shall apply.” (NPDES Permit, Attachment 4) While we encourage the continued use of Santa Cruz’s comprehensive program, we request that Board continue to uphold a 30 foot minimum buffer zone for development alongside a riparian corridor or wetland.

Lastly, we support Board staff’s directive to address TMDLs in the SWMP. We encourage the Board to ensure that Required Revision #13, which requires that the applicant commit to implementing all components of the required Wasteload Allocation Attainment Plan (WAAP). In spite of the City’s existing programs, we believe there is still a substantial gap in data that could be addressed regarding water quality and pollution sources; we feel that the Board is being reasonable in requiring that this aspect of the plan be included prior to the approval of the SWMP.

**In summary, we feel that the City of Santa Cruz’s draft SWMP should be approved on the following conditions:**

- 1. All of the required revisions from Board staff’s November 13, 2008 letter should be incorporated into the plan**
- 2. Language that clearly commits the City to interim hydromodification criteria should be included in the plan**
- 3. The inclusion of minimum 30 foot buffer zones for development in riparian areas alongside the Creeks and Wetlands Management Plan**
- 4. A commitment to address TMDL through the development of a more thorough Wasteload Allocation Attainment Plan**

If these changes were made, the Monterey Coastkeeper would be pleased to recommend the approval of the City’s SWMP. However, we are concerned that the City, along with its partnering permit applicants, will refute the Required Revisions, particularly regarding hydromodification criteria and the inclusion of the WAAP. For this reason, I would like to request a hearing before the Board. If acceptable agreement is reached between parties, this request will be rescinded.

That concludes our commentary. Thank you for the opportunity to participate.

Sincerely,

A handwritten signature in blue ink, appearing to read "Allison Ford".

Allison Ford

Program Manager