



475 Washington St. Suite A
Monterey, CA 93940
T/ (831) 646-8837
F/ (831) 646-8843

Mr. Roger W. Briggs
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

January 9, 2009

Re: Monterey Coastkeeper's comments on the City of Watsonville's Draft Storm Water Management Plan

Dear Mr. Briggs,

The Monterey Coastkeeper has reviewed the City of Watsonville's draft Stormwater Management Plan (SWMP), which was made available to the public in November of 2008. I would like to offer the following comments on the SWMP.

First of all, we would like to commend Mr. Robert Ketley and the City of Watsonville for the notable improvements in the plan since its original inception. In the City's own period of public commentary the Monterey Coastkeeper requested that the plan be altered to include more specific and quantifiable measurable goals. We feel that that request has, for the most part, been met.

The other concerns we stated in our letter, dated August 21, 2008, were primarily the lack of updated hydromodification standards and low impact development (LID) standards as are being required by the Board. Although improvements have been made in this area as well, our primary concerns with the Watsonville SWMP as it stands continue to surround the inclusion of hydromodification criteria and LID standards, and the process that will be undertaken to arrive at these standards. The Monterey Coastkeeper stands in full support of the Board regarding the requirement of hydromodification criteria and the language that outlines the imperative that the final criteria be as effective as the interim criteria presented in the February 15, 2008 letter. As of yet, there is nothing in the Watsonville SWMP that matches this language. We encourage the Board to ensure that this requirement is fulfilled.

Furthermore, we would like to make the following recommendations regarding the Board's treatment of the Watsonville SWMP. If these stipulations are met, The Monterey Coastkeeper will gladly endorse the approval of the plan. Our recommendations are as follows:

Recommendation #1: Ensure that the process of developing hydromodification standards includes plentiful opportunity for public participation and remains transparent.

We recognize that the Board has granted the cities of Santa Cruz County, along with the County, an extension on establishing the final hydromodification standards. Given the complexity of determining appropriate standards for the region, we are not in opposition to this extension. We recognize the value of regional cooperation and uniformity. However, as previously mentioned, we would like to see more explicit language in the SWMP stating the need for and intention of implementing hydromodification standards. This is clearly in line with the Board's wishes, as is stated in the November 12, 2008 letter.

We support the RWQCB staff's required revisions regarding hydromodification standards; in particular we would like to see the following stipulations enforced:

- The required language, as outlined on page 8 of the required revisions
- The removal of the condition "budget/grant dependant" from BMP # 5-2
- The provision of an opportunity for interested parties to comment and be heard throughout the decision making process

Hydromodification is an important component of the Stormwater Management Program; as such, we would like to see language included that illustrates the City's commitment to this part of the plan. As an interested party, The Monterey Coastkeeper is concerned about the transparency of the process that will be used to develop these criteria. We therefore request that the SWMP include language to ensure transparency and opportunity for public participation beyond the legally required minimum.

Recommendation #2: Require references, and links whenever possible, to referenced documents.

For the most part the Watsonville SWMP is concise and clear—however not all cited documents are referenced. The included table of city ordinances on page 26 exemplifies the level of cross-referencing detail that we would like to see throughout the SWMP.

For example, on page 31 of the SWMP, the measurable goal paired with BMP 3.7 reads "Collect and properly dispose of all hazardous liquids and solids delivered to HHW facility." It would be helpful to reference the reader to the protocol for disposing of hazardous waste to clarify the procedure for proper disposal. The same is true of curricular materials for educational programs, outreach campaigns, etc.

The Monterey Bay Regional SWMP includes such materials as appendix to the SWMP and includes either an electronic link to documents or the physical address where materials are available for public viewing. We suggest that Board Staff encourage this level of cross-referencing in all SWMPs.

Recommendation #3: Require that the City differentiate between recommended and required BMPs for development and re-development, and include the list of BMPs that developers will be required to follow.

Language describing BMP 5.1 currently reads, *“The current standards require that...projects employ pollution prevention BMPs for a variety of specific activities and mitigate hydromodification...City staff also recommends that developers use the California Stormwater BMP Handbook (New Development and Redevelopment) when selection BMPs.”* (SWMP p.43) Furthermore, the conditions of approval for permits is contingent on the as of yet unfinished document “Standard Conditions of Approval”, which will be “revised as new hydromodification requirements are developed. (SWMP p.44)

Our two concerns regarding this language are: 1) the implication that BMPs will be recommended rather than required and 2) the fact that the BMPs are not included in the text.

We are concerned that the current language suggests that BMPs for low impact development are prescriptive rather than required; this seems out of line with the intentions of the Board, and the NPDES permit, which reads, “The Permittee must require long-term post-construction BMPs that protect water quality and control runoff flow, to be incorporated into development and significant redevelopment projects.”¹ We recognize that an extension has been granted for the development of hydromodification criteria, and would like assurance that the Standard Conditions of Approval and the new hydromodification requirements will include required (not recommended) BMPs that developers must follow.

Furthermore, we request that the required BMPs selected by the City be included in the SWMP. On several occasions, the SWMP references BMPs that are not made available to the reader. For example, BMP 4.2 reads “Require appropriate BMPs for all development and redevelopment projects which include excavating, grading and filling.” What appropriate BMPs will be required? The range of possibilities is quite wide, and the impact of requiring that BMPs be followed depends on what those BMPs are. The public cannot comment on the effectiveness of BMPs that are not included.

The inclusion of BMPs for construction and post-construction is a significant part of the plan; however the success of these practices will depend upon the BMPs that are selected. There is currently no way to ensure that the required BMPs will truly meet the maximum extent practicable (MEP) if the list has not been selected. If the list of BMPs has already been selected, it should be included in the SWMP. Lastly, we would like to request that in addition to committing to specific BMPs, the City provide adequate assurance that the selected BMPs are appropriately sized for specific projects and locations. Pre and post construction BMPs should reflect the scope and characteristics of the project.

Finally, for ease of access, we have included a table of comments that identify specific parts of the SWMP. Some of these are merely questions or suggestions for improved clarity. Several touch upon the

¹ Fact Sheet for State Water Resources Control Board Water Quality Order No. 2003-0005-DWQ, National Pollutant Discharge Elimination System General Permit No. CAS000004

three recommendations made in this letter. Several highlight particular strengths of the Watsonville SWMP that we feel the Board should encourage in other SWMPs.

In conclusion, with some relatively minor changes, the Monterey Coastkeeper would be pleased to see the approval of the Watsonville SWMP. This concludes our comments. Thank you for the opportunity to participate.

Sincerely,

A handwritten signature in blue ink that reads "Allison Ford". The signature is written in a cursive, flowing style.

Allison Ford
Program Manager

Cc: Robert Ketley, City of Watsonville

Table 1 Monterey Coastkeeper’s Comments to City of Watsonville draft SWMP, dated October 2008

Item No.	SWMP Section	Page	Subject	MCK Comments
1	1 Public Edu/Outreach	10	Measurable goal: identify target audiences within sub-watershed areas	What methods will be used to do this?
2	3 Illicit Discharge Detection & Elimination	26	List of municipal codes applicable to Storm Water	This is an extremely helpful table.
3	BMP 3.2	27	Stormwater runoff pollution prevention ordinance Measurable goals: <ul style="list-style-type: none"> • Enforcement of ordinances and tracking of actions taken • 50% reduction in annual enforcement actions by year 5 	How will the 50% reduction in enforcement action be brought about? Will this happen due to increased enforcement actions? Is this tied to education and outreach efforts? While we commend this goal, we would like to see a link between the implementation of a practice and this desired outcome.
4	BMP 3.2	27	Inspect and document 30% of the storm water outfalls over the five year plan of this permit.	Is this 30% for the full five years? Or 30% annually? Can the City provide an estimated number of existing storm drains to help readers conceptualize the effect of this action?
5	BMP 3.3	28	Measurable goal: 80% of the illicit non-stormwater discharges identified from these outfalls will be eliminated	If possible, a baseline would be helpful to illustrate about how many illicit detections are generally reported or are suspected to exist.
6	BMP 3.6	30	Sanitary Sewer Maintenance; Clean “trouble spots” every 6-8 weeks to prevent overflows	Could the City please provide a definition of “trouble spots”?
7	BMP 3.7	31	Collect and properly dispose of all hazardous liquids and solids	What is the protocol for hazardous waste disposal? Can the City reference a guiding document or policy?
8	BMP 4.2	37	Require appropriate BMPs for all development and redevelopment projects which include excavating, grading and filling.	What appropriate BMPs will be required? The range of possibilities is quite wide, and the impact of requiring that BMPs be followed depends on what those BMPs are. The public cannot comment on the

				effectiveness of BMPs that are not included.
9	BMP 4.6	39	Minimum setback of 100 feet for construction activities adjacent to wetlands, riparian areas, or sensitive habitat.	The Monterey Coastkeeper is in strong support of 100 foot minimum setbacks from wetlands and riparian areas, and applauds the City of Watsonville for having the foresight to include this in its Vista 2030 plan as well as the SWMP.
10	BMP 5.1	43-44	Prescribed vs. required BMPs	The SWMP reads, “The current standards require that...projects employ pollution prevention BMPs for a variety of specific activities and mitigate hydromodification...City staff also recommends that developers use the California Stormwater BMP Handbook (New Development and Redevelopment) when selection BMPs.” (SWMP p.43) Furthermore, the conditions of approval for permits is contingent on the as of yet unfinished document “Standard Conditions of Approval”, which will be “revised as new hydromodification requirements are developed. (SWMP p.44) We are concerned about the language that suggests that BMPs for low impact development are prescriptive rather than required; this seems out of line with the intentions of the NPDES permit. We recognize that an extension has been granted for the development of hydromodification criteria, and would like assurance that the Standard Conditions of Approval and the new hydromodification requirements will include required (not recommended) BMPs that developers must follow. As per our previous comment (item no. 8) we request that the required BMPs be made available to the public.
11	BMP 5.2	45	Hydromodification criteria	We stand by staff’s required revision which instructs the City to include specific language outlining the

				process of developing hydromodification standards. We further request that the City and its partners make every effort to facilitate a public and transparent process.
12	6 Municipal Operations Pollution Prevention Program	48	“The following BMPs are either existing or will be implemented by the City within the next 5 years”	It would be helpful if the City could identify which practices are existing, and which will be implemented in the future.