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Via Electronic Mail and U.S. Mail

Dominic Roques, Engineering Geologist  
Donette Dunaway, Engineering Geologist  
California Regional Water Quality Control Board  
Central Coast Region  
895 Aerovista Place, Suite 101  
San Luis Obispo, California 93401-7906

Re: Comments to Comments on Salinas Stormwater Management Plan

Dear Ms. Dunaway and Mr. Roques,

Monterey Coastkeeper would like to offer feedback on the comments received and posted for public access regarding the Salinas Stormwater Management Plan (SWMP). Our original comment letter regarding the SWMP stated that we are not satisfied with the plan, which, in addition to being abstruse, lacks many of the features required by Salinas' NPDES permit, such as clear Best Management Practices paired with Implementation Plans and Measurable Goals.

The Regional Water Quality Control Board (RWQCB) has submitted a list of Required Revision for the Salinas SWMP. Our original letter did not take into account these required changes. Our following comments are made with the intention of responding to comments, which include reference to the Required Revisions. We will address the comments submitted by the City of Salinas and the Monterey County Water Resources Agency (MCWRA).

The comments submitted by the City of Salinas directly address the RWQCB's Required Revisions. The Monterey Coastkeeper acknowledges the Board's ongoing efforts in the difficult task of turning the Salinas SWMP into a manageable document. We recognize that the process of procuring an adequate SWMP from the City of Salinas has been long and iterative, with repeated delays and disappointments. The process has understandably worn down the morale of the RWQCB staff, who have had to overcome repeated roadblocks throughout the development of the SWMP. The Monterey Coastkeeper recognizes the need to arrive at an adequate final document that serves the intended purpose of protecting the water quality of the region. In an ongoing effort to impel Salinas into producing an acceptable document, the RWQCB set forth its Required Revisions, which generally address six fundamental problems:



- The lack of an accurate timeframe or any timeframe at all
- The lack of a Best Management Practice where one is needed
- The weakness or inadequacy of BMPs
- The lack of measurable goals to accompany BMPs
- The lack of accessible references and the requirement that all external documents be posted on the web or made available to the public
- Typographical errors or formatting problems that obscure the text

While the gist of these revisions is accurate, it is our belief that they do not go far enough to ensure that the Salinas SWMP will be a usable working document that provides actual guidelines. For example, the Required Revisions requests that due dates are given in actual dates rather than the existing practice of “Year X” which is not bound in any actual time, but does not require the inclusion of activity timelines which set goals for specific measures to be completed by. We agree with the Board that measurable deadlines must be fixed in real time, however we would like to see more stringent requirements as far as timeline measurement is concerned.

Furthermore, the Required Revisions note the lack and/or inadequacy of BMPs and measurable goals. While the Revisions include valid examples of locations where this must be ameliorated, there are more instances within the SWMP of unacceptable BMPs and goals that have not been addressed. The Required Revisions that have been set forth are accurate and should be implemented, but the outcome of this project should be viewed as a small improvement on a flawed document—not a final product. For a more extensive and detailed review of our specific criticisms with the SWMP, please refer to our original Comment Letter, dated 12-03-07.

Despite the flexibility that the Board shows towards Salinas in putting forth its Required Revision, the City still shows no sign of making an actual effort to improve the quality of its SWMP. The comment letter requests that the Board approve the SWMP as the document stands. However, the same inability to identify a timeframe that appears in the SWMP exists in Salinas’ comment letter. For example, in Response 2 of the Comment Letter, which refers to Reference number 2 of the Required Revisions, The City’s response is that the column that appears in the table of BMPs labeled “Year” is an adequate reference to a timeframe. This system however is inherently flawed. The use of ordinal numbers means that the document is not fixed in any particular time. This vagueness is not only confusing to the reader and to the various parties that will have to try to actually implement this document; it is also legally problematic. The Required Revisions explicitly state that BMPs “need to be defined in relation to actual years” that fall within the 5-year permit term. (Required Revisions Ref. no. 2) This is especially relevant given that the SWMP is long over-due, and the permit term is over half complete. Does year one begin upon the permit term or upon the adoption of the SWMP? Such questions can easily be avoided by the use of real time references.

