



City of Del Mar



July 23, 2012
Via e-mail

Ms. Jeanine Townsend
State Water Resources Control Board
1001 I Street 24th Floor
Sacramento, CA 95814

City of Del Mar Comments on Revised Draft National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) Revised Draft Tentative Order

Dear Ms. Townsend:

The City of Del Mar (City) appreciates the opportunity to provide comments on the Revised Draft NPDES General Permit for Storm Water Discharges from Small MS4s (Revised Draft Tentative Order). The City is submitting the following comments for consideration by the State Board and its staff.

1. This Permit should serve as an enforcement mechanism for all applicable water quality standards, programs, etc. that are applicable to the Phase II MS4s. As such, any approved TMDLs in the San Diego Region should be included in the Revised Draft Tentative Order to ensure that water quality standards can be obtained through the implementation of programs and activities by all dischargers, including Phase II dischargers. Many sections throughout the Revised Draft Tentative Order such as Sections E.13, E.15, and F.5.I refer to Appendix G for TMDL requirements. Appendix G does not contain any of the approved TMDLs for the San Diego Region. The City requests that all approved TMDLs be added to Appendix G for the San Diego Region to ensure participation and compliance with applicable TMDLs by all dischargers in the designated TMDL areas.
2. The City would like to request the addition of the North County Transit District (NCTD) as a non-Traditional Small MS4 in Attachment B. NCTD has properties that could contribute to water quality issues and impairments, and therefore should be regulated under the Phase II MS4 Permit. NCTD has jurisdiction over the railroad track berm which bisects the Los Peñasquitos and influences hydrology in the lagoon. As noted in the Los Peñasquitos Lagoon Sediment/Siltation TMDL Technical Report (October 20, 2010), "this berm acts as a barrier between the eastern and western portions of the Lagoon for much of its length". The berm alters the natural drainage of the lagoon by cutting off lagoon channels and may contribute to the restricting of the lagoon mouth. The Los Peñasquitos Lagoon currently has a RWQCB approved TMDL for sedimentation, which also requires specific vegetation habitat improvements. The Findings on page 8 item #24 of the Revised Draft Tentative Order state, "Designation of additional Small MS4s outside of Urbanized Areas as Regulated Small MS4s may be made by the Regional Water Boards on a case by case basis. Case by case determinations of designation shall be based on the potential of a Small MS4's discharges to result in exceedances of water quality standards, including impairment of designated uses, or other significant water quality impacts, including habitat and biological impacts". Therefore, NCTD should be added to Attachment B as a non-Traditional Small MS4 in the Revised Draft Tentative Order.



Resolution No. R9-2011-0021 TMDL Comments

July 23, 2012

Page 2 of 5

If you should have any questions regarding these comments please contact me directly at (619) 994-7074, or by email at cleanwater@delmar.ca.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mikhail Ogawa', with a long horizontal flourish extending to the right.

Mikhail Ogawa
Clean Water Manager
City of Del Mar

KB:MO

0 Attachment(s)

cc:

File