



American Cetacean Society
Monterey Bay Chapter



SAVE OUR SHORES



Friends of the Sea Otter

April 27, 2004

Bruce Fujimoto and Jarma Bennett
Division of Water Quality
State Water Resources Control Board
PO Box 1977
Sacramento, CA 95812-1977

Jennifer Bitting
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Re: Monterey Regional Storm Water Management Program

Dear Mr. Fujimoto, Ms. Bennett, and Ms. Bitting:

Please accept the following comments on behalf of The Ocean Conservancy, the American Cetacean Society Monterey Bay Chapter, Friends of the Sea Otter, and Save Our Shores. Our organizations have worked to protect the coastal and marine environment of the Monterey Bay National Marine Sanctuary for many years. Collectively, our organizational memberships include several hundred Monterey County residents, all of whom share a deep concern for protecting water quality in our region. We appreciate this opportunity to offer our comments on the Monterey Regional Storm Water Management Program (MRSWMP). We respectfully request that the Central Coast Regional Water Quality Control Board hold a public hearing on this matter and that the meeting take place at a location that would be convenient for residents of the affected communities to attend and participate.

Although we believe that the MRSWMP contains many useful approaches to reducing storm water pollution, we believe the document could be improved. As an initial matter, we urge that the "Purpose" of the Program (as stated on Page 1-1) be revised to focus on protection of water quality rather than adoption of management practices. Alternatively,

the document could be revised to include a broad vision or goal statement relating to the importance of clean water and healthy watersheds to all Monterey County residents and to the Monterey Bay National Marine Sanctuary. As it stands, the Plan implies that it has been created in response to legal requirements (perhaps accurate but not very inspiring to the public) rather than environmental concerns or community priorities. Although the “meat” of the MRSWMP is of course, the specific program components, we believe that inclusion of a purpose or vision language committing the participating jurisdictions to water quality protection is non-trivial and would set the appropriate tone for both the document and for the program itself.

Our following comments address four key issues:

- The importance of reducing storm water pollution to the Monterey Bay National Marine Sanctuary.
- The evidence that storm water is causing serious impacts in our area.
- The importance of taking a watershed approach to pollution problems and developing a truly integrated regional approach.
- The need to revise the MRSWMP to include more specific and timely actions to improve water quality associated with storm water runoff.

Reducing Storm Water Pollution is Critical to Protecting the Environment and Economic Health of the Monterey Bay Region.

The communities participating in the Monterey Regional Storm Water Management Program lie immediately adjacent to the Monterey Bay National Marine Sanctuary, our nation’s largest marine sanctuary which is home to 33 species of marine mammals, 94 species of seabirds, 345 species of fishes, 4 species of sea turtles and more than 450 species of marine algae. All of these species rely on clean water to survive. Included in the Monterey Bay National Marine Sanctuary’s marine biodiversity are 26 species that receive special protection under the federal Endangered Species Act, including species such as the California Brown Pelican and the Southern Sea Otter that are known to be at particular risk from waterborne pollutants. Monterey County also contains five offshore Areas of Special Biological Significance (ASBSs) and numerous coastal State Parks and State Beaches that attract over 5.7 million visitors each year. Maintaining clean coastal waters is critical to protecting the health of both the species that inhabit the Monterey Bay Sanctuary and to Monterey County’s nearly \$2 billion a year coastal tourism industry. The activities that occur on land, in watersheds that drain to the Sanctuary, have a direct impact on the Bay.

There is Clear Evidence that Storm Water is Negatively Affecting the Waters of the Monterey Region.

Storm water runoff has been identified by the United States Environmental Protection Agency as the largest source of water pollution in the state of California and in the United States. In Monterey County, storm water is second only to agricultural runoff in terms of

pollution impacts to coastal waterways. The Central Coast Regional Water Quality Control Board is expected to adopt a rigorous and comprehensive approach to agricultural runoff later this summer. It is therefore appropriate, timely and fair, that a proactive approach also be taken to addressing storm water pollution in the region.

As noted in the MRSWMP, recent monitoring data and research studies performed in the Monterey Bay area region clearly demonstrate the significant impacts of storm water pollution in the area covered by the Program. For example, data from the 2003 First Flush monitoring event (which included stormdrain monitoring sites in the cities of Monterey and Pacific Grove), demonstrated unacceptably high levels of a variety of pollutants including: *E.coli*, copper, zinc, orthophosphate and nitrates. Samples from Monterey County sites resulted in toxicity to sample organisms including mussels and topmelt.¹ Data from the dry weather Urban Watch program and one-day “Snapshot Day” monitoring event held annually in the spring has also consistently shown high levels of pollutants at some monitoring sites within MRSWMP communities.

The MRSWMP Should Address Storm Water Pollution Problems from a Watershed Approach.

In recent years, there has been a growing recognition of the importance of watershed planning as the most effective means towards addressing water quality problems, particularly nonpoint source pollution such as storm water runoff. In just the past several months, two high level commissions assigned to review the status of ocean policy and management have both concluded that managing based on a watershed approach is critical to successfully protecting water quality in the United States.²

Our organizations were pleased to see the communities of the greater Monterey Peninsula come together to develop a regional storm water program. We believe that collaboration on this important issue can lead to program efficiencies and to a more coordinated, and ultimately more effective, approach. However, we were disappointed that the actual content of the MRSWMP does not appear take full advantage of this opportunity for coordination. The MRSWMP seems to be more of a shared regulatory document than a truly integrated regional approach to storm water pollution.

We urge that the MRSWMP be revised to reflect a watershed approach to pollution problems. Such an approach would recognize that several waterbodies that come under the program drain watersheds that span more than one participating jurisdiction and may even include jurisdictions (such as the City of Salinas) that do not come under this program. Coordination of program elements and timing of implementation is particularly important in situations where a waterbody or stormdrain system spans two or more

¹ *First Flush Event Summary*. Monterey Bay Sanctuary Citizen Watershed Monitoring Network. October 31st & November 3, 2003. Report Prepared by Bridget Hoover, Monterey Bay Sanctuary Citizen Watershed Monitoring Network Coordinator.

² See *American's Living Ocean: Charting a Source for Sea Change*. A Report to the Nation – Recommendations for a New Ocean Policy by the Pew Oceans Commission. May 2003, and The Preliminary Report of the U.S. Commission on Ocean Policy. April 2004.

jurisdictions. As an initial matter, the MRSWMP documents should include maps that clearly delineate watershed boundaries and jurisdictional boundaries to help identify areas where coordinated efforts between jurisdictions will be necessary.

The Monterey Regional Storm Water Management Program Should be Revised to Include More Specific and Timely Actions to Improve Water Quality.

Given the importance of water quality to the environment and economy of coastal Monterey County, and the documented pollution problems associated with storm water runoff in our area, it is critical that the MRSWMP provide a detailed blueprint for maintaining and restoring water quality in our region. Although the existing MRSWMP contains some good ideas, the program is too vague to provide the public with any assurance that it will meet the requirements of the law and effectively protect water quality. In short, the current version of the program commits the participating governments to do “too little, too late.” We urge revision of the Program to provide more specific information on the kinds of Best Management Practices that will be used to achieve compliance.

Our organizations were pleased to see the Urban Watch, First Flush and Snapshot Day monitoring events referenced in the MRSWMP.³ However, we were disappointed that the MRSWMP does not commit all of the participating communities to implementing and maintaining these programs over time. The existing MRSWMP language simply requires each of the participating communities to participate in “one or more public involvement activities” which could include the Coastal Clean Up, stormdrain stenciling, Earth Day, Urban Watch, etc. Our organizations believe that the above mentioned stormdrain monitoring programs differ significantly from more general educational outreach efforts such as stormdrain stenciling and the Coastal Clean Up in that they provide not only opportunities for local citizens to become directly involved in watershed stewardship but also an important source (in many cases the only source) of storm drain water quality data. Although both types of public involvement activities are useful and should be included in the program, they are not interchangeable.

We urge that the MRSWMP be revised to clearly state a financial and staffing commitment to maintaining and expanding stormdrain monitoring programs, including Urban Watch, First Flush and Snapshot Day, over time. Currently, the Urban Watch and First Flush programs are only able to monitoring a limited number of stormdrain sites in the cities of Pacific Grove and Monterey. We appreciate the historic participation of the cities of Monterey and Pacific Grove in the storm drain monitoring programs and strongly believe that such monitoring should be a required component of the MRSWMP for all communities participating in the Regional Program.

Furthermore, for these monitoring programs to effectively reduce storm drain pollution, they must include an element of “forensic monitoring.” Where monitoring data

³ These programs were developed by the Coastal Watershed Council and are run in Monterey County jurisdictions in collaboration with the Monterey Bay Sanctuary Citizen Watershed Monitoring Network.

demonstrates pollution problems, the affected community must perform follow up monitoring, moving “upstream” to track the source of pollution and eliminate it. Although ongoing monitoring is a critical element to storm water pollution reduction, monitoring in and of itself cannot result in pollution reduction. An effective monitoring component, whether it is performed by municipal staff or by well-trained volunteers, is critical to assessing the effectiveness of any storm water pollution program and should be considered an integral component of the MRSWMP.

We urge that the following specific changes be incorporated into the MRSWMP: adoption of integrated pest management policies (to address pollution from landscaping and lawn care management and pest control management, Table 4-1 Page 6); coordination with the Monterey Bay National Marine Sanctuary regarding discharges from boats (to address Pollution from Recreational Vehicles and Boats, Table 4-1, Page 6); adoption of policies that require non-structural management practices (such as grassy swales, settling ponds, etc.) in preference to structural storm water detention facilities (to address Pollution from Storm Water Runoff from New Development and Redevelopment, Table 4-1, Page 5); inclusion of procedures to ensure dechlorination of pool water from non-municipal pool and hot tubs prior to discharge into stormdrain system; policies to require installation, maintenance and periodic upgrades as technologies improve, for advanced storm water filtration systems at critical locations (such as near outfalls to the ocean, for new development with parking lot drainage, etc).

Conclusion

In sum, our organizations urge revision of the MRSWMP to include more detailed, specific, and timely management measures and adoption of a stormdrain monitoring component capable of demonstrating that the program is achieving significant and measurable progress over time. We urge that the program take advantage of the many resources of the Monterey Bay National Marine Sanctuary Water Quality Protection Program and specifically incorporate the Model Urban Runoff Plan (MURP) developed by the MBNMS in partnership with many of your agencies. We also urge that the recommendations included the April 16, 2004 letter from the Natural Resources Defense Council be considered.

Thank you for your consideration of these comments.

Sincerely,

Kaitilin Gaffney
The Ocean Conservancy

Jane DeLay
Save Our Shores

Carol Maehr

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D'Anne Albers
Friends of the Sea Otter