



Linda S. Adams
Secretary for
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State Water Resources Control Board

Office of Chief Counsel

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Arnold Schwarzenegger
Governor

September 15, 2006

Mr. Robert Almy
Water Agency Manager
Santa Barbara County Water Agency
123 East Anapamu Street
Santa Barbara, CA 93101-2058

Dear Mr. Almy:

COUNTY OF SANTA BARBARA STORM WATER MANAGEMENT PROGRAM

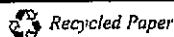
The Chair of the Central Coast Regional Water Quality Control Board (Water Board) requested that I provide the County of Santa Barbara with additional clarification and guidance regarding what information the Board would like to review for the Santa Barbara County Storm Water Management Program (SWMP).

As you know, the Water Board directed staff to provide additional information in the Executive Officer's report for the October 2006 meeting. In the meantime, the Water Board cancelled the October 20 meeting. Consequently, staff plans to give the Board a status report on the County's SWMP at the December 1, 2006 meeting in San Luis Obispo. However, the Water Board expects the tasks we discussed at the July board meeting to proceed just as expeditiously as before this meeting date change. Water Board members are likely to have questions about the submission, so it would be in the County's interest to have you or other appropriate staff available to answer questions. I hope that other interested members of the public, including environmental organizations, will also attend. In order to allow staff adequate time to prepare agenda materials for the Water Board, please submit the following information (and complete coordination with our staff regarding the mapping issues) by October 16, 2006.

The Water Board requested information on three issues:

1. Budget information. You indicated that you had more detailed budget information in your office. The Water Board would like to see a breakdown showing how the County allocates its stormwater budget. You indicated that the construction program (minimum control measures (MCMs) 4-5) are fee-funded. You should include information about construction permit fees and how the fee income is used. For example, the post-construction MCM in some cases requires the County to assure that a third party maintains runoff controls, or the County to provide such maintenance itself. If permit fees are not adequate for this purpose, they will have to be increased as the post-construction MCM is fully implemented. Also, you should indicate whether the stormwater ordinance, review of design standards, and other required documentation of the construction program will be fee-funded or part of the general stormwater budget. With

California Environmental Protection Agency



EO REPORT ATTACHMENT 7
DECEMBER 1, 2006 MEETING
LTR DTD 9/15/06 TO S.B. COUNTY

respect to the design standards, I agree with NRDC that the Attachment 4 standards are not adequately described in existing ordinances and policies, so these will have to be revised as part of the post-construction BMPs.¹

You stated at the hearing that this year's budget is about \$535,000, of which approximately \$55,000 goes to the Watershed Resource Center.² You submitted a chart of "Approved Expenditures FY 2006-07 that includes some additional detail about the responsibilities of the four staff positions assigned to the stormwater program. A copy of the chart is attached for reference. You should indicate whether the \$162,139 budgeted for non-salary expenses is adequate, what additional expenses are expected for MCMs 1-5 for the remainder of the permit term, and how the County will fund them. Please provide budget information for programs listed as BMPs even if they are not funded through the stormwater program for accounting purposes. The Water Board has not yet received this information from the County. For example, some municipalities account for street sweeping outside of the stormwater budget. You indicated that the most expensive MCM is municipal operations, which the County has not yet funded. You should provide information on anticipated costs of implementing the municipal operations MCM in Years 2-5. Finally, please confirm that you expect development fees to fund MCMs 4-5 adequately (construction and post-construction measures) during the permit term.

2. **Maps.** Our staff will address the jurisdictional issues that Heal the Ocean raised, e.g., questioning the County's SWMP coverage of areas outlying Buellton, Solvang and Lompoc. As I stated during the hearing, the SWMP currently covers unincorporated areas of the County that the Water Board has designated for coverage, but we have authority to designate additional areas consistent with the General Permit. You provided assurances during our meeting that the County SWMP would cover urban areas (but not river bottom or agricultural lands), but I ask that you assist our staff in demonstrating that coverage through use of your aerial photos and maps.
3. **Enforcement.** The Water Board intends to ensure that the County adequately carries out the enforcement provisions of the SWMP. Although the County has some time to implement this program fully, according to the dates in the SWMP, the Water Board requests more information about the current program in order to provide input as the County develops its program. Please provide more detailed information about current enforcement protocols, including how the County learns of violations (complaints, inspections, etc.), violation follow-up and outcomes, complaint follow-up and outcomes including apprising the complainant of the status, tracking of referrals to other agencies, and coordination among

¹ Since the BMPs clearly require that the Attachment 4 design standards will apply to 100% of projects, the SWMP describes the BMP adequately at this time. The policies and procedures must be reviewed and revised in Year One to make them consistent with Attachment 4. EPA guidance and the General Permit make it clear that the County can undertake the necessary redrafting after SWMP approval.

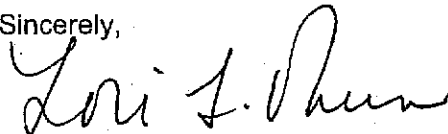
² The approved August 2006 budget included direct costs and staff costs for each minimum control measure. The approved budget is actually \$527,649, including the \$55,000 for WRC.

various County departments. At this time, the Water Board is only seeking information on process, and not the number of complaints and inspections in the past year or so. If this information is available, however, I encourage you to provide it.

4. Construction sites. You indicated that you would have an index of all active construction sites, and that the index would be maintained and available for public review. Please provide this index.

The Water Board places a very high priority on its stormwater program. Many areas of Santa Barbara County are rapidly developing, and the County must insure that development occurs in a manner that protects water quality to the maximum extent practicable. The Governor has also made it clear that California's coastal resources must be protected. In approving the SWMP, the Water Board found that the SWMP is designed to reduce the discharge of pollutants to the MEP standard established in the General Permit. The Water Board will play an active role in overseeing the SWMP to ensure that the County implements it consistent with the MEP standard. We look forward to working with you and the interested public throughout this process.

Sincerely,



Lori T. Okun
Senior Staff Counsel

Enclosure

cc: Mr. Marco Gonzalez
Coast Law Group
169 Saxony Road, Suite 201
Encinitas, CA 92024

Ms. Hillary Hauser
Heal the Ocean
P.O. Box 90106
Santa Barbara, California 93190

Mr. Roger Briggs [via email only]
Executive Assistant
Central Coast Regional Water Quality
Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Ms. Kira Schmidt
Santa Barbara Channelkeeper
714 Bond Street
Santa Barbara, CA 93103

Ms. Anjali Jaiswal
Natural Resource Defense Council
1314 Second Street
Santa Monica, CA 90401

**(All with December 2006 Executive
Officer's report)**
Central Coast Regional Water Quality
Control Board Members
[via U.S. mail & email]

Continued next page

PROJECT CLEAN WATER BUDGET
PUBLIC WORKS DEPARTMENT
COUNTY OF SANTA BARBARA

APPROVED EXPENDITURES FY 2006-07

Level 1 NPDES Application/Reporting	Staff (FTE)	Direct Costs	
Application/Permit Fee	0.14	3,550	
Administration	0.20	6,489	
Annual Reporting	0.07		
GIS/data base	0.16		
Level 1 subtotal	0.57		\$84,925
		\$74,886	10,039

Permit approval hearings
Program management, CASQA, travel
Management of water quality data base

Level 2 Required NPDES Minimum Control Measures	Staff (FTE)	Direct Costs	
Public Education	0.55	20,100	
SCWRs	0.13	55,000	
Public Participation	0.13	3,000	
Discharge Control	1.11	7,500	
Construction Regs	0.03		
New Development	0.20	1,500	
Muni Operations	0.24	30,000	
Level 2 subtotal	2.26		402,709
		\$285,609	\$117,100

General/commercial outreach, media placements
Watershed Resources Center Contract
Stakeholder and other agency coordination
Discharge control, ordinance update, inspections, enforcement
Assess grading ordinance program compliance with SWMP
New project review for BMPs, assess land use compliance with SWMP
County operations review/BMPs, streetsweeping, stormdrain cleanout

Level 3 Additional Project Clean Water Efforts	Staff (FTE)	Direct Costs	
BMI Monitoring	0.03	15,000	
IV Stormdrain	0.01	20,000	
Treatment Control Pilot Projects			
County Facilities			
Storm Sampling			
Level 3 subtotal	0.04		\$40,015
		\$5,015	\$35,000

Ongoing Benthic Macro Invertebrate sampling
IV Stormdrain low flow diversion design

Levels 1+2+3	Proposed Budget for Water Quality	
	\$365,510	162,139
		\$527,649

FY TOTAL EXPENDITURES

\$527,649