



California Regional Water Quality Control Board
Central Coast Region



Linda S. Adams
 Agency Secretary

Arnold Schwarzenegger
 Governor

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November 23, 2009

Charlie Ebeling
 Public Works Director
 City of Carpinteria
 5775 Carpinteria Avenue
 Carpinteria, CA 93013

RECEIVED

NOV 30 2009

CITY OF CARPINTERIA

Dear Mr. Ebeling

NOTICE OF ENROLLMENT – NPDES SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS GENERAL PERMIT; CITY OF CARPINTERIA, SANTA BARBARA COUNTY, WDID # 3 42MS03021

The Central Coast Regional Water Quality Control Board (Water Board) received a Notice of Intent, Storm Water Management Plan (SWMP), map, and fee for the City of Carpinteria's (City) Municipal Separate Storm Sewer System (MS4). These items are required to enroll in the National Pollutant Discharge Elimination System General Permit for the Discharge of Storm Water from Small Municipal Separate Storm Sewer Systems, Order No. 2003-0005-DWQ (General Permit).

Water Board staff reviewed the City's SWMP and found it, combined with a number of specific revisions described in Attachment 1, to be in compliance with the General Permit and the maximum extent practicable (MEP) standard established in the General Permit. The City's SWMP was available to the public for a 60-day comment period, and we received comments from stakeholders. The comments are contained in Attachment 2. Water Board staff responses to these comments are contained in Attachment 3.

The public originally requested a hearing for the Water Board to consider approval of the SWMP and enrollment of the City under the General Permit. However, the hearing requests were withdrawn by all parties. The General Permit states that if no hearing is requested, the Regional Water Board Executive Officer will notify the regulated MS4 that it has obtained permit coverage only after Water Board staff has reviewed the SWMP and has determined that the SWMP meets the MEP standard established in the General Permit.

I am hereby approving the City's SWMP with the following condition:
 Pursuant to Water Code Section 13383, the City of Carpinteria is required to amend the SWMP no later than **January 31, 2010**, to include all the changes shown in the "Final Table of Required Revisions," Attachment 1 to this letter. Per Water Code Section 13385, failure to make these revisions may subject the City of Carpinteria to Administrative Civil Liability for up to \$10,000 for each day of violation. The City of

Carpinteria must provide a copy of the revised pages of the SWMP to the Water Board no later than **January 31, 2010** (70 days from General Permit authorization).

As of **November 23, 2009**, discharges from the City's MS4 are authorized by the General Permit. The City is required to implement the SWMP and comply with the General Permit. The City's first annual reporting period ends **November 30, 2010**. The City's first annual report is due to the Water Board on **February 28, 2010** (approximately 90 days after the reporting period).

Thank you for your cooperation and efforts to enroll the City of Carpinteria under the General Permit. If you have questions regarding this matter, please contact **Brandon Sanderson at (805) 549-3868** or bsanderson@waterboards.ca.gov, or Phil Hammer at (805) 549-3882 or phammer@waterboards.ca.gov.

Sincerely,



Roger W. Briggs
Executive Officer

- cc: (by electronic mail)
- Charlie Ebeling, City of Carpinteria
- Erin Maker, City of Carpinteria
- Jane Gray, DUDEK Engineering
- Brandon Steets, Geosyntec Inc.
- Kira Redmond, Santa Barbara Channelkeeper
- Hilary Hauser, Heal the Ocean

- Attachment 1: Final Table of Required Revisions
- Attachment 2: Comment Letters Received during 60-day Public Comment Period
- Attachment 3: Response to Comments

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**ATTACHMENT 1
FINAL TABLE of REQUIRED REVISIONS
City of Carpinteria SWMP November 2009 – November 2014**

Acronyms:

- BMP - Best Management Practice
- CASQA - California Stormwater Quality Association
- CEQA - California Environmental Quality Act
- IDDE - Illicit Discharge Detection and Elimination
- MCM - Minimum Control Measure
- MG - Measurable Goal
- SWMP - Storm Water Management Plan
- SWPPP - Storm Water Pollution Prevention Plan
- TMDL - Total Maximum Daily Load
- POCs - Pollutants of Concern

* Denotes addition of or change to Required Revision since last review

() Denotes previous draft Required Revisions Item Number

Item Number	SWMP Section	Subject	Problem	Required Revisions
1*	General	TMDLs	The SWMP does not address future development of TMDLs.	Revise the section under TMDLs to include a statement that the SWMP may have to be modified pursuant to TMDLs that are developed in the future.
2*	All	Effectiveness Assessment	The City's BMPs and/or MGs do not always have adequate measures of effectiveness to assess the appropriateness and effectiveness of individual BMPs and the SWMP as a whole. Effectiveness assessment discussions in the SWMP are often excluded or do not provide appropriate detail to be evaluated effectively.	Include a BMP that provides a statement similar to the following: "The City will develop an effectiveness assessment strategy during the first full implementation year and submit it as an update to the SWMP with the first annual report. The effectiveness assessment strategy will be used to conduct effectiveness assessments included in the

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			<p>The City MGs often do not provide adequate measures of success in the implementation of associated BMPs. For further assistance please see EPA's "Measurable Goals Guidance" at: http://cfpub1.epa.gov/npdes/stormwater/measurablegoals/index.cfm</p> <p>and</p> <p>"Evaluating Effectiveness" guidance at: http://www.epa.gov/npdes/pubs/region3_factsheet_swmp.pdf</p>	<p>annual reports, starting with the second annual report. Overall, the strategy will describe the actions that will be taken to assess the effectiveness of the SWMP in meeting regulatory requirements and improving water quality and beneficial use conditions. The strategy will specifically address: identification of the processes to be used to conduct effectiveness assessments and improve BMP implementation; identification of quantifiable BMP and program effectiveness measurements; establishment of links between BMP implementation and improvement in water quality and beneficial use conditions; and assessment of BMP implementation in terms of regulatory compliance, changing awareness, changing behavior, pollutant load reductions, and runoff and receiving water quality."</p>
3 (1)	1.0 Public Education	BMP Development	<p>This section does not identify the link between BMP development and implementation and primary POCs.</p> <p>This section also does not discuss the audiences the City will target and the content of outreach efforts.</p>	<p>Revise BMPs 1.1.1, 1.1.3, 1.1.5, and 1.1.9 to emphasize primary POCs in education and outreach materials and efforts. For example outreach should focus on proper handling of trash (especially plastic debris), pet waste management, septic system maintenance, fertilizer use, hydromodification, automotive activities, etc.</p> <p>Revise BMPs 1.1.1, 1.1.5, and 1.1.9 to discuss the target audience and content of outreach.</p>

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4 (2)	1.0 Public Education	BMP Selection Community-based Social Marketing	<p>The Public Education and Outreach BMPs rely heavily on information campaigns that utilize education and advertising to encourage behavior change. While these efforts can be effective in creating public awareness and in changing attitudes, numerous studies show that behavior change rarely occurs as a result of simply providing information.</p> <p>One particularly promising approach to public education is community-based social marketing. Community-based social marketing is based upon research in the social sciences that demonstrates that behavior change is most effectively achieved through initiatives delivered at the community level which focus on removing barriers to an activity while simultaneously enhancing the activities' benefits. More information on community-based social marketing is available at: http://www.cbsm.com/. The techniques of community-based social marketing should be considered when developing and implementing your public education and outreach program.</p>	Include a BMP that commits to assessing community-based social marketing strategies, and incorporating them into your program where appropriate.
5 (3)	1.0 Public Education BMP 1.1.10	Stormwater Hotline	The BMP lacks detail, specificity, and effectiveness assessment.	Revise the BMP and MGs to include tracking of calls including the location, nature, and time of day of incidents reported. Include follow-through procedures

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6*	1.0 Public Participation BMP 1.1.11	Media Campaign	The BMP does not include proper quantifiable MGs. See measurable goal guidance for additional resources: http://cfpub1.epa.gov/npdes/stormwater/measurablegoals/index.cfm	including response time. Provide assessment parameters for evaluating the effectiveness of the BMP. Remove the current MG a. and revise with the number of radio ads the City will run annually (similar to MG b.). Include a MG that states when and how often the City will run radio ads. Identify the percentage of the target population (including demographics) that the City will reach with printed articles and the TV program.
7*	1.0 Public Participation BMP 1.1.12	Public Opinion Survey	The BMP does not include the proper MG to evaluate educational outreach efforts.	Revise the MG to include a statement that the City will use the public opinion survey to improve future public education and outreach efforts.
8*	1.0 Public Participation	BMP Development Business Education	The SWMP does not properly identify and prioritize education efforts targeting the business community.	Include a BMP to develop a program to educate the business community. Include a MG to develop a business inventory list categorized by business type. Include a MG to distribute education materials by specific business type. Include a MG to prioritize businesses by their potential to discharge pollutants and state that the City will inspect the higher priority businesses first. (This BMP may be included in the IDDE MCM as an alternative and referred to here in the PPO MCM.)

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9* (4)	2.0 Public Participation BMP 2.1.2	Community Interest Group	<p>The BMP does not provide explicit details regarding public participation.</p> <p>The BMP also does not contain assessment parameters.</p>	<p>Revise the BMP to explicitly explain how the City will incorporate public involvement and participation in SWMP implementation efforts. Include a statement that the City will engage in discussion centered on components of the SWMP including new policy or program development, annual report analysis, etc.</p> <p>The description of the Watershed Coalition must explain that activities are not solely directed at Carpinteria Creek, but all of the watersheds that are part of the City's jurisdiction.</p> <p>Include a MG that states the City will hold a specific number of meetings (e.g., quarterly) specifically directed at areas of SWMP development.</p> <p>Include a MG that states how the City will solicit public involvement in the interest group.</p> <p>Include a MG to increase participation by certain % each year.</p> <p>Revise the BMP to include proper assessment parameters, such as documenting participation and evaluating meeting content and presentation.</p>

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10 (5)	2.0 Public Participation BMP 2.1.7	Community Clean-ups BMP Effectiveness Assessment	The BMP does not contain appropriate assessment parameters.	Revise the BMP to include tracking the amount of trash collected as an assessment parameter along with tracking participation as currently stated.
11 (6)	2.0 Public Participation	BMP Development	The SWMP does not state the City will involve the public in review and commenting on draft SWMP revisions and ordinances.	Add a BMP equivalent to the following: The City will solicit public comments on draft SWMP revisions and ordinances, provide sufficient time for the public to comment, and respond to comments by incorporating revisions into draft SWMP revisions and ordinances as appropriate.
12* (7)	3.0 IDDE	BMP Development	The MCM does not ensure diverse public involvement.	Ensure that the City includes a diverse cross-section of people during public participation to identify a wide range of concerns, ideas, etc.
13 (8)	3.0 IDDE BMP 3.1.1	Storm Drain Map	This section does not identify the link between BMP development/implementation and primary POCs.	Revise the BMPs to ensure they control primary POCs (e.g., pathogens, nutrients, trash, and sediment). Include a BMP that states the City will develop a program to determine sources of bacteria and nutrients that enter the City's MS4 (<i>This may be a coordinated effort with the County of Santa Barbara</i>).
14 (9)	3.0 IDDE BMP 3.1.3	Spill and Complaint Response	The BMP does not include regular updates. The BMP lacks detail about complaint investigation, identification, and follow-up procedures.	Include a MG that states the City will update the storm drain map annually. Revise the BMP to provide more detail regarding complaint investigation, identification, and response procedures.

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			<p>The BMP does not ensure tracking and follow-up occurs, specifically with forwarded complaints.</p> <p>The BMP does not include response procedures for emergency discharges during off hours and weekends.</p> <p>The BMP is not clear in its enforcement strategies and procedures.</p>	<p>Include a MG that ensures the City will track and follow up on forwarded and other complaints.</p> <p>Include complaint response procedures for off hour and weekend complaint calls.</p> <p>Provide clarity for an escalating enforcement strategy (e.g., 1st offence - provide education and written notice to discharger with cleanup and abatement deadlines. 2nd offence – NOV with minimum daily penalties. 3rd offence – administrative civil liability penalties [fines] or referral to district attorney's office). Include re-inspection of key abated discharges to eliminate reoccurrence.</p>
15* (10)	3.0 IDDE BMP 3.1.3	Field Investigations and Abatement	The BMP lacks detail about investigation and abatement procedures. The BMP must include a systematic approach to the development of a Field Investigations and Abatement program.	<p>Revise the BMP to provide detail on field investigation procedures, including the number of field personnel assigned to inspections, when and how often the City will conduct inspections, and how the City will conduct inspections (e.g., drive by, on foot, etc.).</p> <p>Include a MG that states the City will investigate and abate 100% of identified illicit discharges.</p> <p>Include a MG to develop a schedule for</p>

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16* (11)	3.0 IDDE BMP 3.1.4	Coordination with Jurisdictional Agencies	The BMP continues to lack detail regarding stormwater permit requirements and agency coordination.	<p>conducting field investigations for priority areas of concern.</p> <p>Include a MG that states the City will conduct follow-up inspections and take enforcement when necessary to eliminate illicit discharges identified.</p>
17 (12)	3.0 IDDE BMP 3.1.8	Municipal Stormwater Code	<p>Hazardous Spill Response is not clearly addressed in the SWMP.</p>	<p>Revise the BMP to include the development of educational resources, stormwater training, and inspection tools (checklists) to provide cooperative agencies with knowledge of stormwater pollution provisions and issues to assist in the identification of illicit discharges.</p> <p>Revise the MG a. to state the City will meet with other agencies annually, rather than biannually.</p> <p>Add a BMP to review and update the hazardous spill response program and training to address potential discharges to the MS4. Include hazardous spill response procedures.</p>
			<p>This BMP lacks detail on the code approval process. The BMP states that new language will be developed and adopted by end of year 2. The City must have a general sense of the development and approval process.</p>	<p>Revise the BMP to include detail on the development and adoption of the municipal code, including a tentative schedule that includes at least one widely advertised public meeting to solicit input on the content of the code before it is presented to the City Council.</p>

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18 (13)	3.0 IDDE BMP 3.1.8	Municipal Stormwater Code	Procedures for enforcement must be included in the SWMP.	Include a description of potential enforcement procedures to be included in the code for use as part of an escalating enforcement strategy.
19* (14)	3.0 IDDE BMP 3.1.8	Municipal Stormwater Code	The scope of the code is not described clearly.	The BMP must include current regulations applicable to illicit discharges. The BMP must indicate that pet waste, including horse waste restrictions, are included in the code. Revise the BMP to indicate that the code includes a prohibition on non-stormwater discharges to the MS4.
20 (15)	3.0 IDDE BMP 3.1.6	Exempt Non-Storm Water Discharges	This section does not provide adequate detail (no BMPs or MGs included) for the City's proposed evaluation of exempt non-storm water discharges to determine if they have the potential to be significant sources of pollutants.	Add BMPs and MGs, including a schedule, for the evaluation of non-stormwater discharges identified as exempt under the General Permit to determine their potential to be significant sources of pollutants. For those non-stormwater discharges identified as having the potential to be significant sources of pollutants, confirm that the City will prohibit such non-stormwater discharges from entering the MS4, or describe the BMPs the City will require in order to control the pollutants in the non-stormwater discharges.
21 (16)	3.0 IDDE BMP 3.1.7	Geographical Assessment	The BMP lacks detail regarding action items developed from the assessment.	Revise the BMP to include MGs with action items resulting from the assessment and illicit discharge map (e.g., prioritize business and industrial facility inspections, prioritize creeks for dry weather inspections, prioritize POCs, and develop new BMPs).

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22* (17)	3.0 IDDE BMP 3.1.9	Stormwater Monitoring	The current scope of this BMP is limited.	<p>Revise the BMP to include a description of the current monitoring efforts being conducted by local coalitions within the City's MS4 area (e.g., where monitoring is taking place, when and how often samples are taken, what constituents are sampled for, who is conducting the sampling, etc.).</p> <p>Include a description of the City's coordination with local coalitions for these monitoring efforts.</p> <p>Include a MG that states the City will coordinate with local coalitions regarding monitoring efforts.</p> <p>Include a MG that states the City will use monitoring data to determine effectiveness of SWMP efforts and improve program components.</p>
23 (18)	3.0 IDDE	IDDE Training	The SWMP lacks IDDE training for municipal staff. The City does not commit to making the detection and elimination of illicit discharges a priority.	<p>Include a BMP to train City staff (especially field staff) on IDDE requirements, inspection, and enforcement procedures.</p>
24* (19)	4.0 Construction Runoff Control	Inadequate MCM Details for Construction Runoff Controls	The current scope of this MCM is limited. The BMPs do not fully address permit requirements.	<p>Revise the SWMP to acknowledge that the City is required to establish construction site controls for sites greater than one acre and for sites less than an acre that are part of a larger common plan of development.</p> <p>Add BMPs and corresponding MGs demonstrating that the City will comply with</p>

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			<p>Currently there is not a BMP for the development of an ordinance or the review and revision of an existing ordinance(s) that require erosion and sediment controls, including enforcement procedures for non-compliance. Existing requirements and procedures for erosion and sediment controls are not included in SWMP.</p> <p>Currently there is not a BMP that includes requirements for control of other construction related wastes (e.g., paint, cement, trash, etc.).</p> <p>Currently there is not a BMP that discusses the development and implementation of procedures the City has/will develop to address public input.</p>	<p>General Permit requirements to:</p> <p>(1) Develop and implement an ordinance or other regulatory mechanism to require erosion and sediment controls, including implementation by site operators, as well as sanctions, or other effective mechanisms to ensure compliance. Include a BMP that requires the City to review and update existing ordinances and standard conditions regarding construction site controls if this is the City's preferred process. City must include discussion of current erosion and sediment control requirements, and standard procedures regarding construction sites in SWMP.</p> <p>(2) Develop requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.</p> <p>(3) Develop procedures for receipt and consideration of information submitted by the public. <i>(This may be referenced in another section of the SWMP. The City should consider development of informational signs at constructions sites that include permit requirements and a hotline number for the public to call.)</i></p>

Item Number	SWMP Section	Subject	Problem	Required Revisions
25* (20)	4.0 Construction Runoff Control BMP 4.1.1	Construction Site Operator Education & Training	This BMP does not include a description of procedures for how the City will educate construction site personnel and what topics will be covered regarding stormwater pollution prevention.	Include a BMP that describes how the City will educate and train construction personnel working on projects within the City's jurisdiction on the proper implementation of stormwater runoff controls (e.g., through City sponsored trainings and distribution fact sheets). Include information on the proper installation and maintenance of erosion and sediment controls, including site planning, minimization of soil movement, capture of sediment, and good housekeeping. Reference to widely used BMP manuals must be provided.
26* (21)	4.0 Construction Runoff Control BMP 4.1.2	Discretionary Project Review	This BMP lacks the proper scope of activity to be implemented. Statements regarding policies and procedures are vague and incomplete. The BMP lacks appropriate MGs.	The BMP must be revised to state the City will develop new discretionary project review procedures or revise existing procedures (details regarding existing procedures and Standard Conditions of Approval must be included in SWMP) to include consideration of potential water quality impacts. The SWMP must specify who is responsible for tracking and monitoring construction activities for compliance and how this effort will be conducted. Include a MG to develop a guidance document for the City's Standard Conditions and a BMP procedures and policy manual. Include a MG stating that the City will review and update the Standard Conditions as appropriate (annually, biennially, etc.).

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				<p>Include a MG that states construction site BMP requirements will be included in the construction approval process.</p> <p>Include a MG that states City staff will review site plans prior to ground breaking on site.</p> <p>Include a MG that states Waste Discharge Identification (WDID) numbers from the State Water Board will be required for permit approval on all discretionary projects one acre or greater.</p> <p>Include a MG that states the City will develop a method to track new construction activities and make the information available to the public.</p>
27* (22)	4.0 Construction Runoff Control BMP 4.1.3	Construction Site Inspection and Enforcement	The BMP fails to provide information on how the City will evaluate the effectiveness of review procedures, inspections, and City follow-up actions based on inspections (e.g., enforcement).	<p>Revise the BMP and MGs to demonstrate that the City will track construction site information, including: owner, contractor, start and completion dates, size in acres, inspection dates, findings from inspections, complaints received, and the City's response to complaints. This information can inform the City's assessment of the effectiveness of its review, inspection, and follow-up procedures.</p> <p>Include a MG stating the City will review and update the existing ordinance in year 1.</p> <p>Include a MG identifying the frequency of</p>

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28* (23)	4.0 Construction Runoff Control BMP 4.1.3	Construction Site Enforcement	The BMP lacks detail regarding standard City procedures and enforcement. Statements are vague and incomplete.	<p>inspections on construction sites one acre or greater, as well as sites less than an acre.</p> <p>Revise the BMP to provide a summary of the standard City procedures and escalating enforcement strategy steps the City will use for construction site non-compliance.</p> <p>Include a MG stating the City will take enforcement on 100% of non-compliance issues discovered.</p>
29* (24)	4.0 Construction Runoff Control BMP 4.1.4	Staff Training	<p>The scope of training is not clearly indicated.</p> <p>The BMP lacks an appropriate MG.</p>	<p>Revise the BMP to state the City will train staff on proper installation, operation, and maintenance of construction site BMPs, as well as inspection methods and enforcement strategies.</p> <p>Include MG to develop an erosion and sediment control BMP inspection checklist to assist inspectors in properly identifying appropriate BMPs in the field. See the RWQCB example stormwater inspection checklist at: http://www.waterboards.ca.gov/centralcoast/water_issues/programs/stormwater/docs/c_onstruction/construction_inspection_form.pdf</p>
30*	5.0 Post-Construction Runoff Controls	Land Use Policies	References to current land use policies are incomplete regarding implementation and enforcement procedures.	<p>Revise the BMP to include discussion of current land use implementation processes, including enforcement of policies.</p> <p>Include a MG that states the City will review</p>

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31* (25)	5.0 Post-Construction Runoff Controls BMP 5.1.2	Interim Hydromodification Criteria	While the City discusses its position to participate in the joint regional effort to develop hydromodification and LID criteria, it is not appropriate to include the language at this time. Implementation of the joint effort has not yet begun. The City may state that it supports the joint effort and will participate when implementation commences. However, we currently provide three options for the development of the interim criteria that must be included in the City's SWMP.	and revise existing land use policies (within specified time frame) to ensure they achieve desired watershed conditions. Modify the SWMP to include the development of interim hydromodification criteria using one of the options listed below: Option 1: The proposed criteria may include the following types of requirements which provide a high degree of assurance of effective hydromodification control without regard to the nuances of individual watersheds: 1. For new and re-development projects, Effective Impervious Area ¹ shall be maintained at less than five percent (5%) of total project area. 2. For new and redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface, the post-construction runoff hydrographs shall match within one percent (1%) the pre-development ² runoff hydrographs, for a range of events with return periods from 1-year to 10-years.

¹ Effective Impervious Area is that portion of the impervious area that drains directly to a receiving surface waterbody via a hardened storm drain conveyance without first draining to a pervious area. In other words, impervious surfaces tributary to pervious areas are not considered Effective Impervious Area.

² Pre-development condition is defined as the native vegetation and soil conditions that exist prior to human influence (e.g., urbanization, agriculture, grazing, timber harvest).

Item Number	SWMP Section	Subject	Problem	Required Revisions
				<p>3. For projects whose disturbed project area exceeds two acres, preserve the pre-development drainage density (miles of stream length per square mile of watershed) for all drainage areas serving a first order stream³ or larger, and ensure that post-project time of concentration is equal or greater than pre-project time of concentration.</p> <p>Other acceptable approaches to develop interim criteria that are as effective as Option 1 include:</p> <p>Option 2: Adopt and implement hydromodification criteria developed by another local municipality and approved by the Water Board, such as the criteria the Water Board adopted for the City of Salinas, as interim criteria.</p> <p>OR</p> <p>Option 3: The City shall use the following methodology to develop interim flow control and infiltration criteria:</p> <p>1. Identify a range of runoff flow rates for which post-project runoff flow rates and durations shall not exceed pre-project</p>

³ A first order stream is defined as a stream with no tributaries.

Item Number	SWMP Section	Subject	Problem	Required Revisions
				<p>runoff rates and durations, where the increased discharge rates and durations will result in off-site erosion or other significant adverse impacts to beneficial uses. Pre-project refers to the condition immediately prior to the proposed project. The condition includes, but is not limited to, soil type, vegetation, and amount of impervious surface.</p> <ol style="list-style-type: none"> 2. Establish numeric criteria for development projects to maximize infiltration on-site and approximate natural infiltration levels to the maximum extent practicable and to effectively implement applicable low-impact development strategies. 3. Identify the projects, including project type, size and location, to which the City will apply the interim criteria. The projects to which the City will apply the interim criteria will include all those projects that will cause off-site erosion or other significant adverse impacts to beneficial uses. 4. Identify methods to be used by project proponents to demonstrate compliance with the interim discharge rate and duration criteria, including continuous simulation of the entire rainfall record.

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32 (26)	5.0 Post-Construction Runoff Controls BMP 5.1.3	Long-Term Watershed Protection	The City must commit to providing long-term watershed protection. The City has provided examples of its efforts of watershed protection through land use policies, plans, ordinances, guidance manuals, and BMPs. However, the City must provide more detail and evidence that these will achieve desired watershed conditions.	<p>5. Identify methods to be used by project proponents to demonstrate compliance with the interim infiltration criteria, including analysis of site imperviousness.</p> <p>Include a BMP stating how and when the City will 1) develop quantifiable measures that indicate how the City's watershed protection efforts achieve desired watershed conditions, 2) evaluate the existing watershed protection efforts (the referenced land use policies, plans, ordinances, guidance manuals, and BMPs), and 3) adapt or change the existing efforts if necessary.</p>
33 (27)	5.0 Post-Construction Runoff Controls BMP 5.1.5	Policy Reviews & Updates	Many of the BMPs described under this MCM, which discuss "project development review procedures," lack appropriate detail concerning the development and review/update of those policies and procedures. The City many programs and resources (e.g., CEQA Guidelines & Checklist, interpretive and implementation guidelines, conditions of approval, mitigation measures) that will be used under this MCM, some of which the City states will be developed or reviewed and updated.	<p>Add individual BMPs or MGs within the MCM to state when updates and revisions to cited guidelines, conditions, and measures will occur. Also explain the revision and approval procedures. For example: Identify when the City will review and revise the that CEQA guidelines will be revised to include consideration of urban water quality impacts.</p> <p>Include a statement that the City will apply standard conditions of approval to all projects.</p> <p>During all requested planner consultation meetings and Development Review Committee meetings, state the City will</p>

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34 (28)	5.0 Post-Construction Runoff Controls BMP 5.1.5	Project Design Approval	The City's review process for new and re-development projects as described lacks adequate detail to know whether the process could allow project environmental analysis to conclude without evaluation of specific stormwater management BMPs proposed.	<p>educate applicants on the need for stormwater control. Include a statement that the City will implement interpretive and implementation guidelines and include them in application packages.</p> <p>Modify the section in the BMP that describes the "Application Submittal" so it is consistent with the following, or add a BMP equivalent to the following:</p> <p>The City will insure that applications are only deemed complete if they identify the types of post-construction BMPs to be implemented and their locations.</p> <p>In addition, identify in the SWMP the particular stage(s) in the City's development project review/approval process that will be used to apply all specific hydromodification control/LID criteria and standards to development projects.</p>
35*	5.0 Post-Construction Runoff Controls BMP 5.1.8	Incentive Program for Innovative Site Design	The BMP does not contain proper MGs.	<p>Include a MG that states the City will advertise the incentive program widely to the development community.</p> <p>Include a MG that states the City will showcase the innovative projects to raise awareness of LID.</p>
36* (29)	5.0 Post-Construction	Inspection Procedures	This BMP lacks specificity regarding inspection protocol and the tracking system.	Add to or revise the BMP to indicate when and how often inspections will occur to ensure correct BMP installation,

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	Runoff Controls BMP 5.1.9			<p>maintenance, and functionality.</p> <p>Include a MG that states the City will develop an agreement mechanism between the property owner and the City to ensure long-term operation and maintenance of post-construction BMPs.</p> <p>Revise the MG to state that 20 percent of post-construction BMP related projects will be inspected annually for proper operation and maintenance.</p> <p>Include measures to ensure that inspectors are informed of the conditions, measures, and control BMPs they must track.</p>
37 (30)	5.0 Post-Construction Runoff Controls BMP 5.1.10	Enforcement	The BMP does not have a description of penalty provisions or tracking for non-compliance with standards or conditions of approval.	Add a BMP identifying specific enforcement procedures and the range of penalties for non-compliance. Include a statement that the City will track enforcement of post-construction storm water controls that are required as conditions of approval in Years 2 through 5.
38 (31)	5.0 Post-Construction Runoff Controls	General Permit Attachment 4 Design Standards	The City does not address Attachment 4 provisions in the SWMP as required to achieve the maximum extent practicable standard and to protect water quality.	Include BMPs and MGs to implement Attachment 4 Design Standards as outlined in the General Permit.

Item Number	SWMP Section	Subject	Problem	Required Revisions
39 (32)	6.0 Pollution Prevention for Municipal Operations	Inadequate MCM Details	The Pollution Prevention and Good Housekeeping for Municipal Operations control measure lacks adequate detail and specificity. (See the City of Santa Barbara and Santa Maria SWMPs for examples of adequate content).	Revise the SWMP to provide more detailed discussion of program elements. The discussion must include who, what, where, why, how, and when statements.
40* (33)	6.0 Pollution Prevention for Municipal Operations BMP 6.1.1	Municipal Facility and Operations Individual SWMPs	The BMP does not discuss which facilities or operations could adversely impact stormwater and require a site or activity specific SWMP.	<p>Revise the BMP to include MGs to develop a facility and operation inventory to determine potential to create and/or release pollutants. This should include Public Works maintenance yards, fleet yards, water and waste water treatment plants, and public facilities (i.e., golf courses, parks, etc.), as well as maintenance and construction activities.</p> <p>Include a MG to conduct evaluation of facilities and operations to determine their impacts to stormwater. Prioritize facilities based on their potential to discharge pollutants to the MS4. Provide a schedule and time table for the evaluations.</p> <p>Include a MG to inspect facilities and operations annually for compliance with individual SWMPs.</p> <p>Include a MG to revise individual SWMPs periodically (include a timeframe for revision).</p>

Item Number	SWMP Section	Subject	Problem	Required Revisions
41 (34)	6.0 Pollution Prevention for Municipal Operations BMP 6.1.2	Purchasing and Contract Regulation	This BMP lacks clarification and detail about how contracts containing stormwater pollution prevention specifications will be regulated and enforced.	<p>Revise the BMP to add procedures for evaluating compliance and taking enforcement action if contracts are violated.</p> <p>Include language in the existing MG stating that the City will revise contract language to contain stormwater pollution prevention provisions.</p> <p>Add a MG stating that contractors will be periodically (include timeframe) audited for compliance.</p> <p>Add a MG that states contract language will be enforced for 100% of projects. Include enforcement procedures.</p> <p>Add a MG stating contract language will be periodically reviewed (include timeframe) for effectiveness.</p>
42 (35)	6.0 Pollution Prevention for Municipal Operations BMP 6.1.3	Integrated Pest Management Strategies	This BMP lacks sufficient detail to ensure the progressive development of Integrated Pest Management strategies.	<p>Include a MG that states the City will reduce the use of pesticides by a particular percentage annually.</p> <p>Include a MG that states the City will periodically (include timeframe) evaluate current procedures and explore new procedures to improve effectiveness of Integrated Pest Management strategies over time.</p>

Item Number	SWMP Section	Subject	Problem	Required Revisions
43 (36)	6.0 Pollution Prevention for Municipal Operations BMP 6.1.4	Street Sweeping	The BMP lacks sufficient detail to evaluate the effectiveness of the program. The BMP seems to have had its description left out of the narrative (see sentence #3, pg 71).	<p>Revise the BMP to include a complete description of activities. Include in the description the approximate miles of roadway swept, and percentage of the City's jurisdictional roadways swept.</p> <p>Include a MG to track the amount of trash collected to evaluate BMP effectiveness.</p>
44* (37)	6.0 Pollution Prevention for Municipal Operations BMP 6.1.5	Catch Basin and CDS Unit Cleaning	The BMP lacks sufficient detail and effectiveness assessment information. Staff questions whether the cleaning of catch basins once a year is suitable.	<p>Include a MG that states an inspection schedule will be developed for all catch basins in Year 1.</p> <p>Include a MG that states cleaning efforts will be evaluated annually to determine the effectiveness of the proposed cleaning frequency.</p> <p>Include a MG that states the City will document the amount of trash collected from CDS units.</p>
45* (38)	6.0 Pollution Prevention for Municipal Operations BMP 6.1.6	Mutt-Mitt Program	The BMP lacks sufficient detail and effectiveness assessment information for prevention of pet waste discharges.	<p>Include a MG that states dispensers will be refilled more frequently as needed.</p> <p>Include a MG that states all dispensers will include signage addressing the pet waste ordinance and associated enforcement provisions as developed in the municipal code.</p> <p>Include a MG that states the City will enforce the pet waste ordinance for 100% of identified violations. Describe the</p>

Item Number	SWMP Section	Subject	Problem	Required Revisions
46 (39)	6.0 Pollution Prevention for Municipal Operations BMP 6.1.7	Municipal Staff and Contractor Training	The BMPs lack detail on the scope of training and evaluation of its effectiveness.	<p>enforcement procedures in SWMP.</p> <p>Include a MG to annually evaluate the pet waste ordinance and enforcement procedures to assess the effectiveness of the program.</p>
47 (40)	6.0 Pollution Prevention for Municipal Operations	MS4 Maintenance Operations	The BMP lacks a description of the maintenance activities and procedures implemented to prevent pollutant discharges to the MS4.	<p>Revise the BMP to include training for contract employees. Explain the contract employee training schedule.</p> <p>Revise the BMP to include the scope of training the City will conduct. Training topics should include proper vehicle washing and maintenance, park and open space maintenance, fleet and building maintenance, new construction and land disturbance activities, stormwater system maintenance, hydromodification and LID requirements, etc.</p> <p>Include a MG that states all training sessions will be evaluated for effectiveness. Pre/post training quizzes could be used as part of these evaluations.</p>
				<p>Include a BMP to develop a schedule for maintenance of City facilities (e.g., public roads, bridges, sidewalks, and building facades) to prevent pollutants from entering the MS4 (e.g. paving and painting materials, street and sidewalk washwater, dredge spoil, accumulated sediments, floatables, debris, etc.). Identify procedures for proper removal of collected waste.</p>

Item Number	SWMP Section	Subject	Problem	Required Revisions
48 (41)	6.0 Pollution Prevention for Municipal Operations	Hazardous Spill Response	This issue is not addressed.	Revise the BMP to state the City will update its hazardous spill response and training to address potential discharges to the MS4.



Protecting and Restoring the Santa Barbara Channel and Its Watersheds

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September 30, 2009

Mr. Brandon Sanderson
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Re: City of Carpinteria's Draft Storm Water Management Plan

Dear Mr. Sanderson:

Please accept the following comments on the City of Carpinteria's December 2008 Draft Storm Water Management Plan (SWMP), which are hereby submitted by Santa Barbara Channelkeeper. Channelkeeper is a non-profit organization dedicated to protecting and restoring the Santa Barbara Channel and its watersheds, and for the past six years we have been reviewing and commenting on the SWMPs of municipalities throughout Santa Barbara County with the goal of ensuring that they will meet the requirements of California's General Permit for Storm Water Discharges from Small Municipal Storm Sewer Systems (MS4s) and will be effective in protecting water quality and reducing the discharge of pollutants to the Maximum Extent Practicable (MEP).

Unfortunately, Santa Barbara Channelkeeper finds that Carpinteria's Draft SWMP falls short of the General Permit's requirements in numerous respects, and as currently drafted will not be effective in protecting water quality and reducing the discharge of pollutants to the MEP. Rather than requesting a hearing, Channelkeeper trusts that the RWQCB will incorporate our recommendations into its table of required revisions to the Carpinteria SWMP.

General Comments

Channelkeeper has a few general comments that apply to the SWMP as a whole, as well as extensive recommendations on how specific Best Management Practices (BMPs) can and must be improved to bring the SWMP up to the standard expected by the RWQCB and the public.

First, the General Permit requires municipalities to assess the appropriateness and effectiveness of the BMPs identified in the SWMP in terms of achieving the requirements of the General Permit and the Measurable Goals (MGs) laid out in the SWMP, as well as in reducing pollutants of concern and improving water quality and beneficial uses. Unfortunately, Carpinteria's SWMP fails to include provisions for such assessment, which will impede the ability to evaluate and improve the SWMP over time. Channelkeeper urges the addition of effectiveness assessment BMPs in the SWMP.

Additionally, Channelkeeper finds that the SWMP lacks adequate specificity in many of the BMPs it proposes to implement, and that many of the MGs are not in fact measurable and as such will not enable the City, the public nor the RWQCB to evaluate the effectiveness of individual control measures and the SWMP as a whole. MGs are described in the Phase II Rule as BMP design objectives or goals that quantify the progress of program implementation and the performance of BMPs. They are objective markers or milestones that will be used to track the progress and effectiveness of BMPs in reducing pollutants to the MEP. At a minimum, MGs should contain descriptions of actions that will be taken to implement each BMP, what is anticipated to be achieved by each goal, and the frequency and dates for such actions to be taken.¹ According to the General Permit, MGs should be quantitative and measure progress through the development, implementation and evaluation of each BMP and should enable measurement of the BMPs' effectiveness in reducing pollutants over the life of the permit. We provide specific recommendations for how to improve several of the proposed MGs in the comments on particular BMPs below.

Finally, many of the BMPs do not specifically target pollutants of concern, as required by the General Permit. The City must add new BMPs or tailor existing ones to ensure that they adequately address all pollutants of concern in Carpinteria.

SWMP Regulatory Basis and Applicability

The SWMP states that the additional requirements of Attachment 4 do not apply to the City of Carpinteria. However, as explained in its September 17, 2008 letter to the City, the RWQCB now expects all municipalities in the region to comply with the Attachment 4 requirements, so the SWMP must include additional measures to meet these requirements.

The section on TMDLs must be amended to update the timeline for the commencement of TMDLs for Carpinteria Creek and the Salt Marsh, and to include a statement that the SWMP may have to be modified pursuant to any TMDLs that are developed in the future.

Public Education and Outreach

Brochures: Channelkeeper recommends that this BMP be revised to ensure that the brochures the City distributes target particular pollutants of concern and their sources.

Educational Programs for School Children: The City must specify that it will create a stormwater quality curriculum in Year 1.

Storm Drain Stenciling: We strongly support both storm drain stenciling and tributary signage, but these are separate BMPs and should not be lumped together as they are in Table 1-1; tributary signage should be added as a separate BMP.

Stormwater Hotline: This is a very important BMP that must be laid out in greater detail. We urge the RWQCB to require a commitment to document the number of calls received, the nature of the complaint/discharge, location, time of day, and any action taken by the City to abate, enforce and follow-up on the complaint/discharge. The City must also commit to responding to 100% of hotline calls within 24 hours as well as to taking appropriate enforcement action and follow-up where needed. Finally, the MG listed in Table 1-1 – to promote use of the hotline through printed materials

¹ U.S. EPA, National Pollutant Discharge Elimination System, "Measurable Goals Guidance for Phase II Small MS4s," <http://cfpub.epa.gov/npdes/stormwater/measurablegoals/index.cfm>.

and the City website - is not in fact measurable and should be revised to include quantifiable ways to advertise the hotline and to document its usage. We also recommend setting a MG for the number of people to be informed about the hotline through the means described to promote it.

Media Campaign: The MG as described in Table 1-1 is far too vague. The City must also set *measurable* goals for how many people (and what demographics) it will reach with its articles and TV program.

Public Opinion Survey: The information gathered from the survey must be utilized to adjust and target future public education and outreach efforts.

Business Education: Because many types of businesses have a relatively high potential to discharge pollutants to the MS4, it is vitally important that business education be a primary focus of the City's Public Education and Outreach efforts. Channelkeeper therefore strongly urges the addition of a BMP and associated MGs to proactively educate the business community about stormwater pollution prevention. While the SWMP states in the Illicit Discharge Detection and Elimination Minimum Control Measure (MCM) that it will educate business/industry, nowhere in the SWMP is a detailed plan laid out for developing and implementing a business education program. Such a program should begin with the City compiling a comprehensive inventory of businesses with potential to discharge pollutants to the MS4, divided by business type. The City must then develop and distribute educational materials tailored to specific business types, as well as a plan for conducting site inspections and face-to-face educational conversations with business owners/managers about BMPs specific to each type of business. Businesses with the highest potential for discharges should be prioritized for earlier and more frequent site visits and outreach/education, as should those which have been found through complaints or previous inspections to have ineffective or lacking BMPs.

Public Involvement and Participation

Community Interest Group: We support the City's initiative to develop a community interest group. However, we find that holding meetings "as needed" is vague and insufficient to ensure meaningful public involvement and participation in SWMP implementation efforts, and thus urge the City to commit to holding meetings at least quarterly. Furthermore, it is imperative that the City convene stakeholder meetings to explain and solicit public comment on any ordinances or other significant new programs developed pursuant to the SWMP, as well as on its annual SWMP implementation reports, *before* these documents are submitted to City Council or the RWQCB for approval. We also urge a clear articulation in the SWMP of how the City intends to gather email and mailing addresses for its list and how it will solicit participation in the community interest group. Finally, we recommend revising the MG for this BMP to document the number of attendees at all meetings, as well as topics discussed and actions taken as a result of the meetings.

Coordination with Project Clean Water Stakeholders Committee: Sadly, Project Clean Water's Stakeholders Committee has been a major disappointment, with next to no participation by the public. The working groups created several years ago to evaluate specific water quality problems have long since disbanded because the County failed to implement any of their recommendations. As such, this BMP needs to be updated accordingly, and we urge the City to discuss the problems and failures of this stakeholder committee with the County as well as with key stakeholders who participated in the working groups in the past in order to avoid making the same mistakes made by the County.

Regional Agency Coordination Meetings: The City should commit to attending CASQA meetings.

Participation in TMDL Stakeholder Process: Channelkeeper urges the City to also convene at least one public workshop to educate the public about the TMDL process and encourage their active participation in it.

Volunteer Group Formation: To the best of Channelkeeper's knowledge, Creek Watchers and Adopt-a-Storm Drain no longer exist in Carpinteria nor anywhere in Santa Barbara County, so this BMP must be revised accordingly. Channelkeeper strongly urges the City to do more than simply support volunteer organizations, but to also develop its own groups or programs, such as a citizen watch group, adopt-a-storm-drain group, volunteer water quality monitoring group, and/or a cadre of volunteer educators or speakers who can lead workshops, encourage public participation, and staff a greater number of special events. We fear that absent these additional efforts, the City's proposed BMPs to foster public participation and involvement will fall short of meeting the goal of facilitating public participation and involvement in the development, implementation and periodic review of the SWMP and encouraging volunteer efforts.

Community Clean-ups: We recommend that the MG be amended to include the number of actual participants in each clean-up and the amount of trash collected, highlighting areas where particularly large volumes of trash were found in order to help the City target its future pollution prevention and clean-up efforts.

Reporting: This section states that feedback from stakeholders and other sources will be used to improve implementation of all six MCMs. Details as to how the City plans to solicit such feedback must be included.

Illicit Discharge Detection and Elimination

Education and Outreach: Channelkeeper reiterates our strong recommendation from the Public Education and Outreach MCM that a comprehensive and robust business education program be developed and implemented to reduce stormwater pollution from business and industry in Carpinteria, with specific MGs for regular inspections of all high- and medium-risk businesses and appropriate follow-up and enforcement of any problems identified. We also recommend that activities be included to educate the general public about prevention of pollution from common household wastes and practices.

Spill Complaint and Response: Channelkeeper agrees with the RWQCB's recommendation to revise this BMP to provide more detail and add MGs to ensure that complaints forwarded to other agencies are followed up, and to re-inspect abated discharges to prevent recurrence.

Field Investigation and Abatement: Channelkeeper urges the City to be more systematic in its development of a Field Investigation and Abatement program, for instance by establishing a scheduled frequency for conducting field investigations of priority areas. We also recommend that more details be added to this BMP to explain the number of City staff conducting inspections, how they are trained and how often, and how field investigations are conducted and how often. Finally, a MG should be added to conduct follow-up inspections and take enforcement action when necessary to ensure the elimination of 100% of illicit discharges identified.

Coordination with Jurisdictional Agencies: This BMP lacks critical information explaining how the work of other concerned agencies is communicated and coordinated with Public Works. It also fails to describe what sites are inspected by the Fire District, and how often the Sanitary District performs smoke testing. We support the RWQCB's recommendation that the City add development of educational resources and inspection checklists to ensure that other agencies are aware of the SWMP requirements and keeping an eye out for stormwater pollution prevention measures or lack thereof.

Municipal Code Language/Stormwater Ordinance: This BMP must be revised to commit the City to developing, through an ordinance or other mechanism, a prohibition on non-stormwater discharges into the MS4, with appropriate enforcement procedures and actions, as required by the General Permit. It must also include means of soliciting public input into the drafting of the ordinance.

Exempt Non-Stormwater Discharges: This BMP lacks important information about how the City intends to determine whether the listed discharges are significant sources of pollution or nuisance, and about whether and how the City will prohibit those that are.

Geographic Assessment: Channelkeeper applauds the City's commitment to developing a Watershed Management Plan and geographic assessment of the potential for illicit discharges based on land use and downstream impairments. We suggest that greater detail be provided on what the City intends to do with the information once the assessment is complete.

Stormwater Monitoring: To Channelkeeper's knowledge, no water monitoring is currently being conducted in Carpinteria. We strongly recommend that the City develop and implement a monitoring program to identify pollution problems and pinpoint sources, and Channelkeeper would be happy to offer our services to assist the City in this effort.

Construction Site Runoff Control

This MCM lacks adequate detail regarding the requirements of the City's existing grading ordinance and standard conditions related to construction site controls. It also fails to explain how the City will meet the requirements for construction site operators to control construction-related waste, so it is unclear whether these existing measures meet the requirements of the General Permit. If they do not, the City must commit to developing an ordinance requiring the implementation of proper erosion and sediment controls and controls for other wastes on applicable construction sites, with appropriate authority for enforcement and sanctions for non-compliance.

Another important BMP is also missing from this MCM: educating construction site operators and workers about stormwater pollution prevention through the distribution of brochures, BMP fact sheets and City-sponsored trainings. These efforts should include detailed information about the installation and maintenance of appropriate erosion and sediment control BMPs, as well as references to recognized BMP manuals widely applied by the construction community.²

The SWMP also lacks a BMP establishing procedures for the receipt and consideration of information submitted by the public, and we urge the RWQCB to require such.

² For example, California Department of Transportation, *Storm Water Quality Handbook: Construction Site Best Management Practices Manual*; California Regional Water Quality Control Board San Francisco Region, *Erosion and Sediment Control Field Manual*; and California Stormwater Quality Task Force, *California Storm Water Best Management Practices Handbooks: Construction Activity; Industrial/Commercial Activity; and Municipal Activity*.

Discretionary Project Review: The SWMP needs to specify clearly who will be responsible for monitoring and tracking construction activities for SWMP compliance and how this will be undertaken.

Inspection and Enforcement: This BMP does not explain whether and how many inspections take place on construction sites that are less than one acre, nor does it adequately describe the City's enforcement capabilities and procedures. In addition, Channelkeeper strongly recommends that the City commit to developing and implementing a comprehensive construction site tracking database that records basic site information, including the precise location, owner, contractor, size in acres, proximity to natural and man-made hydrologic features, project start and anticipated completion dates, required inspection frequency and items to be inspected at each inspection, and results of all inspections. The tracking system should also document complaints or reports submitted by the public, all violations and associated enforcement actions taken, and any follow-up inspections to ensure correction. Finally, Channelkeeper supports the RWQCB's recommendation that the City develop a stormwater inspection checklist to ensure that inspectors are reviewing all relevant BMPs in the field.

Reporting: Again, Channelkeeper asks that the City explain how it plans to solicit feedback from City inspectors, RWQCB staff, construction contractors, project owners and the public.

Post Construction Runoff Control

Land Use Policies: While Channelkeeper appreciates the detailed list of land use policies, we urge the City to clearly articulate how and under what circumstances these policies are implemented and enforced. We would like to inquire specifically about the details of how Implementation Policy 49 is currently carried out.

Discretionary Permit Review Process: It is vitally important that development projects specify BMPs and control measures to protect water quality in the early stages of design. As such, Channelkeeper recommends that pre-application meetings be made mandatory rather than voluntary for moderately complex and complex projects. The SWMP should also make it clear that final BMPs must be selected, sized and sited in order for CEQA review to be completed, rather than later during the land use clearance and permit compliance process. Also necessary is the inclusion of a standard condition of approval to ensure water quality protection *after* construction and details as to how this is applied and verified. Finally, the City should specify the frequency of post-construction stormwater control inspections to be conducted to ensure proper long-term operation and maintenance of BMPs.

Channelkeeper urges the RWQCB to require the inclusion of details regarding when the City's CEQA guidelines and Checklist will be updated and what "potential" revisions are envisioned at that time. We also request clarification about the "new and revised conditions" that address both construction site pollution control and post-construction runoff control, "some" of which shall be considered during the initial design phase of a project if they require significant land area to implement.

Staff Training: The training of planning staff to properly condition projects to protect water quality is a vitally important BMP. Channelkeeper therefore recommends that methods be implemented (such

as post-training tests) to evaluate the effectiveness of the trainings, and for the results of those evaluations to be used to improve future trainings.

Incentive Program for Innovative Site Design: The City should revise the MG for this BMP to advertise the program widely to the development community and to undertake a concerted effort to showcase the innovative projects to the wider community to raise awareness about Low Impact Development.

Monitor Discretionary Projects: Again, the City must ensure adequate long-term operation and maintenance of controls. A one-time inspection after construction does not meet this requirement and the BMP should be amended accordingly. Moreover, the MG should also be revised to affirm that all non-compliance issues will not only be documented but also followed up and sanctioned.

Pollution Prevention/Good Housekeeping for Municipal Operations

The General Permit requires the development and implementation of an operation and maintenance program with the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Unfortunately Carpinteria's SWMP as currently drafted does not meet this requirement and must be revised accordingly.

Site Specific Stormwater Management Plans: This BMP needs to be overhauled. The City should begin by conducting a thorough inventory and inspection of all municipal facilities to determine their potential to create or release pollutants, and then develop and implement site-specific written water pollution prevention protocols for all facilities that have such potential. The City should also distribute and make sure the Municipal Operations BMP Fact Sheets developed by Santa Barbara County are used by all such facilities, and should track the number, type and effectiveness of BMPs implemented and conduct annual inspections of each facility to ensure compliance with their specific plans.

Purchasing and Contracts: The City should add a MG to ensure 100% compliance by contractors.

Pesticide Management: Channelkeeper urges the addition of MGs to reduce the use of pesticides at municipal facilities to zero and to establish a certain percentage of city parks as pesticide-free zones by Year 5.

Street Sweeping: This BMP is missing pertinent information about the frequency of street sweeping and number of miles of roads swept, and should be revised accordingly. The MG should also be revised to document the amount of trash collected.

Catch Basin and CDS Unit Cleaning: The SWMP should articulate the number of catch basins in the City's jurisdiction, and should include a commitment to evaluate whether cleaning only once a year is adequate and if not, to increase the frequency, particularly before significant rain events. The MG should also be revised to document the amount of trash collected.

Staff and Contractor Training: Channelkeeper recommends that the City include means of evaluating the efficacy of its trainings, such as administering post-training quizzes and/or surveys, and should commit to revising the trainings based on these evaluations.

Thank you for the opportunity to provide comments on the City of Carpinteria's Draft SWMP. Please do not hesitate to contact me should you have any questions or concerns regarding the above comments.

Sincerely,



Kira Redmond
Executive Director

Cc: Charlie Ebling, City of Carpinteria Department of Public Works
Jane Gray, DUDEK
Hillary Hauser, Heal the Ocean



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October 1, 2009

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

RE: City of Carpinteria Storm Water Management Plan (December 2008 draft) – Request for Hearing

Dear Mr. Sanderson:

Heal the Ocean (HTO), an active non-profit group focused on improving water quality in the Pacific Ocean and local watersheds of Santa Barbara County, has been reviewing storm water permits for Santa Barbara County and cities within the County since 2002, and we have had the opportunity to review the December 2008 Draft of the City of Carpinteria Storm Water Management Plan. We have also reviewed the August 3, 2009 Water Board Staff Comments on this draft, and agree completely with Staff Comments and recommendations (together with the excellent Draft Table of Required Revisions provided by Water Board staff).

Heal the Ocean asks that the Regional Board NOT approve the City of Carpinteria SWMP until every one of these Required Revisions are made and another draft SWMP is published for RWQCB and public review. To ensure that this document is NOT approved before the Required Revisions are made, we therefore request a public hearing at the Regional Board, to request that the City of Carpinteria be officially noticed that it must as soon as possible produce an efficient SWMP as directed by Staff in its table of Required Revisions.

The current (December 2008) Draft, which is the only SWMP document Heal the Ocean has seen, is essentially a vague preliminary guidebook for the development of SWMPs, with very few specifics as to how Best Management Practices (BMPs) will be implemented in the City of Carpinteria. Heal the Ocean feels strongly that the City of Carpinteria cannot be granted another year in which to prepare an effective program, subject to Annual Review, at which point the requisite specifics may still not be included in its SWMP.

We are asking for the hearing because we are somewhat baffled by the non-order of proceedings in approval process for the Carpinteria SWMP. On September 3, 2009, Heal

the Ocean, together with Santa Barbara Channelkeeper, met with Carpinteria Public Works director Charlie Ebeling and the City of Carpinteria's contracted engineer, Jane Gray from Dudek (who is preparing the Carpinteria SWMP document), to lay out our concerns about the SWMP in its present iteration. For this meeting, Heal the Ocean had provided to both Mr. Ebeling and Ms. Gray the list of points made in this letter.

During this meeting we were very pleased to learn from Mr. Ebeling that almost everything in the Draft Table of Required Revisions (which encompass Heal the Ocean's concerns) were being made – and that in fact the City of Carpinteria was already doing most of the things in the Required Revisions list. The problem, Mr. Ebeling said, was a “matter of communication.”

Heal the Ocean's understanding was that Dudek would prepare another draft that reflected the Required Revisions, but that this would be prepared and submitted to the Regional Board without further public review. We were informed there would be a public hearing on September 28, 2009 in Carpinteria (a day Heal the Ocean could not attend), but we understand that this “hearing” was not a hearing, but rather an instructional meeting conducted by Dudek to educate the public as to what a SWMP should contain.

If there is a revised Draft SWMP, Heal the Ocean insists that we have a chance to review this document before it goes to the Regional Board for approval. We do not know what is contained, or will be contained, in the revised draft that is being sent to the Regional Board to approve.

Therefore, in addition to asking for a copy of the revised draft to review, we ask for a hearing at the Regional Board, to ensure that we are not cut out of the public process (to which we have contributed a lot of time!) and so that we are given an opportunity to weigh in on the changes to the Draft SWMP for Carpinteria.

In its December 2008 form, the Carpinteria SWMP is basically a list of suggestions. It is not a robust, enforceable SWMP.

General Comments

We would be pleased if the Regional Board received from the City another draft SWMP that incorporates all the required revisions the Board has asked for.

In addition, Heal the Ocean would like to have emphasized in the Carpinteria SWMP specific plans for the creeks within Carpinteria's jurisdiction, particularly those that are 303(d) listed. The Draft SWMP lists (on page 10) the four main creeks within its jurisdiction (page 10): Carpinteria Creek, Franklin Creek, Santa Monica Creek and Lagunitas Creek, and provides physical information as to the types of topography (residential, agricultural, etc.) through which these creeks and their tributaries flow, but provides no detail as to how problematic runoff to these creeks will be handled. This is particularly unhelpful in the matter of the creeks that are 303(d) listed for specific impairments.

In the same vein, Table 1 (page 14 of the December 2008 Draft) lists 303(d) Listed Water bodies within the City of Carpinteria's jurisdiction, and describes Pollutants of Concern (POCs), yet there is no discussion in the Draft SWMP as to how the City intends to tackle these POCs. Instead, the text notes, "*There are currently no Total Maximum*

Daily Loads (TMDLs) for receiving waters to which the City discharges however, they are anticipated for the water bodies and associated impairments listed in Table 1," and that is the end of the discussion.

It should be noted that the Carpinteria Valley is a major agricultural area, with many greenhouses that use fertilizers, yet there is no language in the draft SWMP that addresses how the City can begin or maintain a program to control nitrogen runoff into storm drains, creeks and the ocean. While the origins of the nitrogen runoff may occur within Santa Barbara County jurisdiction, the City of Carpinteria should undertake a program similar to Santa Maria, where the city of Santa Maria is monitoring and investigating what is going into the Santa Maria River and from whom (city or county).

Heal the Ocean is only one environmental group that has been called into the greenhouse area by concerned residents, to see pipes from greenhouses placed so that their irrigation water runs directly into nearby storm drains. A strong measure of the Illicit Discharge Detection and Elimination MCM is needed here, along with enforcement.

In the December 2008 Draft SWMP the time tables for BMP implementation for all MCMs is too often "Year 1-5" – which gives no specifics for certain goals that must be met. Perhaps a review of the City of Santa Barbara's SWMP schedule could serve as a guide to the City of Carpinteria.

The following examples of vagueness in the Draft SWMP are not acceptable:

1. Public Education and Outreach

- a) Website: There is no timeline given for the development of the City's Stormwater Management website, nor for the compilation of a list of Discharger Communities. (Heal the Ocean is discouraged to see that no such website exists already.)
- b) Hotline: the City needs to develop a Stormwater Hotline that is other than the County of Santa Barbara (1-877-OUR-OCEAN), which is ineffective because too far away (and inoperable on weekends). Heal the Ocean has worked with the City of Santa Barbara to establish an emergency response through 911. The City of Carpinteria should investigate the 911 connection for itself, and also check with the City of Carpinteria Fire Department for emergency response (i.e. sewage spills).
- c) Public Opinion Survey (1.1.10) "...will be distributed during Year 5 of the permit term as a stuffer in the water bill sent out to all residents." Year 5? This is useless. Some form of measuring effectiveness should be implemented in Year 2.
- d) Measurable Goals (1.2). The language included in this section does not provide for Measurable Goals.

2. Public Participation and Involvement

- a) 2.1.1 "Creation of a Community Interest Group" includes the language, "or as needed," and this vague wording provides an opt-out.
- b) 2.1.1 In the listing of the "following community groups," the South Coast Watershed Resource Center is not a community group, it is a building.

3. Illicit Discharge Detection and Elimination

This entire section is extraordinarily vague. The preliminary discussion merely repeats with the City is expected to do, and statements like

"...discharge sources therefore must be controlled and illicit discharges prevented and/or punished..." do not adequately describe how control, prevention and/or punishment is to take place. Instead we read, *"...Legal enforcement procedures are also helpful in preventing illicit discharge recurrence."*

Heal the Ocean cannot emphasize enough the importance of exact language for this section (Illicit Discharge Detection and Elimination). We receive many calls from citizens complaining about illicit discharges from the

Carpinteria greenhouse area(s), and believe Carpinteria officials need the authority to ticket and fine – *monetarily* – repeat offenders. We believe many offenders are not dumping into storm drains because they are "not aware" and therefore benefited by informational pamphlets. We believe many offenders view the storm drain is a convenient receptacle to get rid of waste – whether from the holding tank of a Recreational Vehicle, or soapy water from carpet cleaning vehicles, or (as we have personally seen) a nearby drainage ditch-system to siphon off greenhouse irrigation water.

The City of Carpinteria should adopt a "no tolerance" policy with regard to the issuance of warnings regarding permit violations and impose a mandatory financial penalty for repeated. In addition the City should adopt a "three strikes" policy, requiring a maximum fine after three violations.

Table 3-2 for BMP Illicit Discharge Detection and Elimination is entirely too vague, as follows:

BMP 3.1.1 Storm Drain System Mapping. Indicates completion of mapping of Storm Drain Master Plan by 12/3/08. It is now 9/24/09. Has this Master Plan been completed?

BMP 3.1.2. Education and Outreach. "See section 1.0 Public Education and Outreach measurable goals" is not satisfactory. There are no timelines in section 1.0 of the draft SWMP. "Continue to utilize web sites, hotline....to educate the community," between Years 1-5, also too vague, specific timelines are needed.

BMP 3.1.3 (Part 1) Identification and Elimination of Illicit Discharge Sources. *“Respond to complaints received through City Hall...”* What does this mean? Does one call the mayor? The SWMP needs to spell out how “Public Works staff” can be contacted. *“Spill and complaint calls may be received directly from the public, from City staff doing routine field work...”* What is “routine”? How often is City staff in the field? MG describes response to complaints *within 1 (one) business day.* As noted above, the City of Carpinteria needs to investigate connection with 911 emergency services in the case of sewage spill, and 24 hours is too long for effective response.

BMP 3.1.3 (Part 2) Field Investigation and Abatement. Florists/greenhouses need to be added to the list of areas subject to field investigations. Also the Carpinteria polo grounds and horse properties. Given that horses, agriculture and greenhouses are prominent activities in the Carpinteria Valley, the SWMP must give particular notice – and specific language – to the control of storm water violations from these activities.

BMP 3.1.4 Coordination with Jurisdictional Agencies. This section of the Draft SWMP merely describes the activities of agencies other than the City of Carpinteria, and gives no language to indicate how these agencies would work together with the City to implement SWMP measures. Within Year 1, the City should establish a coordination with Fire, Sanitary District, Flood Control, and specifically spell out how the coordination would work.

BMP 3.1.5 Review Existing Policies. Heal the Ocean commends the City for making a Year 1 goal a review of municipal codes related to illicit discharge, and that during Year 2, will develop an ordinance for illicit discharge elimination (BMP 3.1.6). However, Remove the words *“if necessary”* and develop a table of enforcement action/fines.

Regarding BMP 3.1.6 in the main body of the SWMP document, Table 3-1 (on page 42) lists Discharges Exempted from SWMP Regulation, and includes Irrigation water as exempted from SWMP regulation. This needs to be reconsidered. Although these exempted discharges are standard language in the General Permit, in the matter of Carpinteria Valley, Irrigation water from greenhouses are loaded with nitrates, to the extent that storm drains with standing water which drain to small tributaries that drain to creeks are often bright (nearly iridescent) green – from the overloading of nitrates. Heal the Ocean suggests that in Carpinteria the subject of “Irrigation water” be given specific, special attention and regulatory language in the SWMP.

BMP 3.1.7 Geographic Assessment of Potential Illicit Discharges. Heal the Ocean commends the City for making a Year 1 Goal the spatial assessment of *the potential for different types of illicit discharge based on land use...* but encourages the City to include in the main body of this text (on page 42) some language indicating current, well-known, knowledge about Carpinteria Valley’s main industries and/or activities – greenhouses and horses (Polo Field). The text in main body (page 42) about septic systems, *“...if there are*

known septic systems that are not connected to the sanitary sewer system, such systems will be located and assessed for potential connection to the storm drain (i.e. through groundwater)... ” This is an enormous statement that requires scientific connection of groundwater to storm drain system, and needs rewrite. Storm water pollution does not necessarily need a storm drain as conduit. Identifying septic system-groundwater connections as contributing to storm water pollution problems is an admirable goal of this SWMP or any SWMP (!) and if indeed this is a Measurable Goal of the Carpinteria SWMP, suggest including into the Draft SWMP quotation from Santa Barbara County’s 2003 Questa Engineering Sanitary System Survey that has already identified areas within Carpinteria’s jurisdiction where septic systems are located in inappropriate soils, in areas of high groundwater, and include into the SWMP the language and correlating tables of the Questa Engineering Study that have to do with areas within the City of Carpinteria SWMP jurisdiction.

BMP 3.1.8 Stormwater Monitoring. *“The City will keep abreast of monitoring efforts on local creeks...”* The City is required to do more than “keep abreast” of “monitoring efforts,” and must come up with a definite plan and schedule for monitoring, or at least indicate how it will coordinate with local coalition(s) that are monitoring the watersheds within Carpinteria’s jurisdiction.

4. **Construction Site Runoff Control**

In view of the State General Permit requirement that the City “...develop, implement *and enforce* a program to reduce pollutants in any storm water runoff...from construction activities that result in a land disturbance...” (emphasis ours), Heal the Ocean recommends that the City of Carpinteria adopt a “no tolerance” policy with regard to the issuance of warnings regarding permit violations related to construction site runoff control measures and impose a mandatory \$100 fine for first offenses. In addition the City should adopt a “three strikes” policy, requiring the maximum fine after three violations.

Instead of any such strong guiding language in the draft Carpinteria SWMP, we find Discretionary Project Review (4.1.2)... *“Staff will be trained in the appropriate selection and application of adopted Standard Conditions that relate to storm water.”* The SWMP should distinctly describe “adopted Standard Conditions that relate to storm water” and reflect the requirements of the State General Permit in the matter of enforcement.

Response to storm water violations (4.1.3) are *“...within 24 hours of receipt of the complaint...”* 24 hours is an entire day. This response time is not nearly fast enough. As suggested earlier in this comment letter, suggest that the City of Carpinteria establish a connection with 911 and/or a response program with the City’s Fire Department.

Tougher enforcement language needed. Repeating our request for tougher enforcement language in the “Illicit Discharge Detection and Elimination” section of the SWMP, Heal the Ocean is adamant that the City of Carpinteria adopt a “no tolerance” policy with regard to the issuance of warnings for permit violations for Construction Site Runoff and impose a mandatory financial penalty for repeated violations. In addition the City should adopt a “three strikes” policy, requiring a maximum fine after three violations.

5. Post-Construction Runoff Control

Heal the Ocean concurs with Regional Board staff on every one of the Required Revisions in this section of the SWMP, and in particular asks the

Regional Board to ensure that one of the three options for hydromodification criteria are included in the City of Carpinteria SWMP before any approval is given to the overall document.

In conclusion, Heal the Ocean would like to see the City of Carpinteria give storm water pollution a higher priority than reflected in the December 2008 Draft SWMP. We would like to see Carpinteria adopt a specific work plan for implementation and monitoring of storm water runoff controls, to include time frames, staffing and methods of insuring that Best Management Practices (BMPs) are in place by certain annual benchmarks. We urge the City of Carpinteria to view its SWMP not as a punishment, but as a roadmap to serious tackling of the storm water pollution problem.

The City does not need to be reminded that storm water runoff is the most serious source of ocean pollution – and that every ocean user knows full well by now to stay out of the ocean after a rain. Carpinteria is famed for its beaches, and we feel a strong, final “tuning” of Carpinteria’s SWMP will provide further strength and resolve to the City’s goal of regaining clean beaches for its citizens.

Very truly yours,



Hillary Hauser, executive director
HEAL THE OCEAN

Cc: Roger Briggs, Executive Director Central Coast RWQCB
Marco Gonzalez, Coast Law Group
Charlie Ebeling, Public Works Director City of Carpinteria
Kira Redmond, Santa Barbara Channelkeeper
Jane Gray, Dudek Engineering



**ATTACHMENT 3
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

**Response to Comments
City of Carpinteria Storm Water Management Plan December 2008**

Introduction

This document includes Central Coast Regional Water Quality Control Board (Water Board) staff responses to the comments received during the Water Board's 60-day public comment period (August 3 – October 2, 2009) for the City of Carpinteria's (City) Storm Water Management Plan (SWMP) and Water Board staff's Draft Table of Required Changes. We received comments from the following organizations:

September 30, 2009: Santa Barbara Channelkeeper

October 1, 2009: Heal the Ocean

October 1, 2009: City of Carpinteria (*The City provided comments in the form of a revised SWMP dated October 2009 that addresses public input and Water Board staff required revisions. Water Board staff will not respond to the City's revisions of the SWMP at this time. Formal SWMP revisions are required to be submitted by the date stated in the Final Table of Required Revisions. Water Board staff will review the City's SWMP at that time to ensure it incorporates the changes specified in the Final Table of Required Revisions.*)

Comments from Santa Barbara Channelkeeper, September 30, 2009

1. Comment: First, the General Permit requires municipalities to assess the appropriateness and effectiveness of the BMPs identified in the SWMP in terms of achieving the requirements of the General Permit and the Measurable Goals (MGs) laid out in the SWMP, as well as in reducing pollutants of concern and improving water quality and beneficial uses. Unfortunately, Carpinteria's SWMP fails to include provisions for such assessment, which will impede the ability to evaluate and improve the SWMP over time. Channelkeeper urges the addition of effectiveness assessment BMPs in the SWMP.

Response: Staff agrees that proper effectiveness assessment must be included in the SWMP. Staff included Required Revision No. 2 requiring the development of an effectiveness assessment strategy. The City has included Best Management Practice (BMP) 1.0 in the October 2009 SWMP to address this comment. The effectiveness strategy will be developed in year 1 and implemented starting in year 2. The City has included basic effectiveness measures for assessment in year 1. See revised SWMP dated October 2009.

2. Comment: Additionally, Channelkeeper finds that the SWMP lacks adequate specificity in many of the BMPs it proposes to implement, and that many of the MGs are not in fact measurable and as such will not enable the City, the public nor the RWQCB to evaluate the effectiveness of individual control measures and the SWMP as a whole. ... At a minimum, MGs should contain descriptions of actions that will be taken to implement each BMP, what is anticipated to be achieved by each goal, and the frequency and dates for such actions to be taken. ... We provide specific recommendations for how to improve several of the proposed MGs in the comments on particular BMPs below.

Response: Comment noted. Staff will respond to specific comments below. See revised SWMP dated October 2009 for the City's revisions to MGs.

3. Comment: Finally, many of the BMPs do not specifically target pollutants of concern, as required by the General Permit. The City must add new BMPs or tailor existing ones to ensure that they adequately address all pollutants of concern in Carpinteria.

Response: Staff agrees and has included Required Revision Nos. 3 and 12 requiring this amendment. The City has included a column identifying which Pollutants of Concern (POCs) are addressed by BMPs in the revised SWMP BMP tables. See revised SWMP dated October 2009.

4. Comment: **SWMP Regulatory Basis and Applicability**

The SWMP states that the additional requirements of Attachment 4 do not apply to the City of Carpinteria. However, as explained in its September 17, 2008 letter to the City, the RWQCB now expects all municipalities in the region to comply with the Attachment 4 requirements, so the SWMP must include additional measures to meet these requirements.

Response: BMP 5.1.11 has been added by the City to include Attachment 4 requirements. See revised SWMP dated October 2009. Staff has included Required Revision No. 20 requiring this amendment.

5. Comment: The section on TMDLs must be amended to update the timeline for the commencement of TMDLs for Carpinteria Creek and the Salt Marsh, and to include a statement that the SWMP may have to be modified pursuant to any TMDLs that are developed in the future.

Response: Staff agrees that the SWMP must acknowledge the future development of TMDLs and has added Required Revision No. 1 requiring this amendment.

Public Education and Outreach

6. Comment: Brochures: Channelkeeper recommends that this BMP be revised to ensure that the brochures the City distributes target particular pollutants of concern and their sources.

Response: Staff agrees that brochures must target particular pollutants of concern and therefore included the Required Revision No. 3 requiring this amendment. BMP 1.1.1 has been revised by the City to address this comment. See revised SWMP dated October 2009.

7. Comment: Educational Programs for School Children: The City must specify that it will create a stormwater quality curriculum in Year 1.

Response: BMP 1.1.7 has been revised by the City to address this comment. See revised SWMP dated October 2009.

8. Comment: Storm Drain Stenciling: We strongly support both storm drain stenciling and tributary signage, but these are separate BMPs and should not be lumped together as they are in Table 1-1; tributary signage should be added as a separate BMP. **Response:** BMPs 1.1.8 and 1.1.9 have been revised by the City to address this comment. See revised SWMP dated October 2009.

9. Comment: Stormwater Hotline: We urge the RWQCB to require a commitment to document the number of calls received, the nature of the complaint/discharge, location, time of day, and any action taken by the City to abate, enforce and follow-up on the complaint/discharge. The City must also commit to responding to 100% of hotline calls within 24 hours as well as to taking appropriate enforcement action and follow-up where needed. Finally, the MG listed in Table 1-1 – to promote use of the hotline through printed materials and the City website - is not in fact measurable and should be revised to include quantifiable ways to advertise the hotline and to document its usage. We also recommend setting a MG for the number of people to be informed about the hotline through the means described to promote it.

Response: BMP 1.1.10 has been revised by the City to address this comment. See revised SWMP dated October 2009. Staff agrees that the City must track and respond to

all stormwater calls and has included Required Revision No. 5 requiring this amendment.

10. Comment: Media Campaign: The MG as described in Table 1-1 is far too vague. The City must also set *measurable* goals for how many people (and what demographics) it will reach with its articles and TV program. **Response: Staff agrees that the MG is vague and has included Required Revision No. 6 requiring this amendment.**

11. Comment: Public Opinion Survey: The information gathered from the survey must be utilized to adjust and target future public education and outreach efforts. **Response: Staff agrees that the survey should be used to improve future public education and outreach efforts and has added Required Revision No. 7 requiring this amendment.**

12. Comment: *Business Education:* ...Channelkeeper therefore strongly urges the addition of a BMP and associated MGs to proactively educate the business community about stormwater pollution prevention. ...Such a program should begin with the City compiling a comprehensive inventory of businesses with potential to discharge pollutants to the MS4, divided by business type. The City must then develop and distribute educational materials tailored to specific business types, as well as a plan for conducting site inspections and face-to-face educational conversations with business owners/managers about BMPs specific to each type of business. Businesses with the highest potential for discharges should be prioritized for earlier and more frequent site visits and outreach/education, as should those which have been found through complaints or previous inspections to have ineffective or lacking BMPs. **Response: Staff agrees that particular businesses have a high potential to discharge pollutants to the MS4 and should be prioritized for educational outreach. Staff has added Required Revision No. 8 requiring this amendment.**

Public Involvement and Participation

13. Comment: Community Interest Group: ...we find that holding meetings “as needed” is vague and insufficient to ensure meaningful public involvement and participation in SWMP implementation efforts, and thus urge the City to commit to holding meetings at least quarterly. Furthermore, it is imperative that the City convene stakeholder meetings to explain and solicit public comment on any ordinances or other significant new programs developed pursuant to the SWMP, as well as on its annual SWMP implementation reports, *before* these documents are submitted to City Council or the RWQCB for approval. We also urge a clear articulation in the SWMP of how the City intends to gather email and mailing addresses for its list and how it will solicit participation in the community interest group. Finally, we recommend revising the MG for this BMP to document the number of attendees at all meetings, as well as topics discussed and actions taken as a result of the meetings. **Response: Staff agrees that more explicit detail regarding interest group meetings is needed and has included Required Revision No. 9 requiring this amendment.**

14. Comment: Coordination with Project Clean Water Stakeholders Committee: Sadly, Project Clean Water’s Stakeholders Committee has been a major disappointment, with next to no participation by the public. ... As such, this BMP needs to be updated accordingly...in order to avoid making the same mistakes made by the County. **Response: Comment noted. Staff recommends that the BMP be updated accordingly but is not requiring revisions to be made at this time.**

15. Comment: Regional Agency Coordination Meetings: The City should commit to attending CASQA meetings. **Response: Comment noted. Staff recommends that the City attend CASQA meetings but is not requiring attendance at this time.**

16. Comment: Participation in TMDL Stakeholder Process: Channelkeeper urges the City to also convene at least one public workshop to educate the public about the TMDL process and encourage their active participation in it.

Response: BMP 2.1.5 has been revised by the City to address this comment. See revised SWMP dated October 2009.

17. Comment: Volunteer Group Formation: ... Channelkeeper strongly urges the City to do more than simply support volunteer organizations, but to also develop its own groups or programs... We fear that absent these additional efforts, the City's proposed BMPs to foster public participation and involvement will fall short of meeting the goal of facilitating public participation and involvement in the development, implementation and periodic review of the SWMP and encouraging volunteer efforts.

Response: Staff agrees with the comment that the City should develop its own groups and organizations that facilitate public involvement and participation and encourages the City to do so. However, we are not requiring the City to further develop this BMP at this time. The City currently commits to public participation through BMP 2.1.1 which includes public noticing of activities in regards to the development and implementation of the SWMP as required by the General Permit. The City must evaluate the effectiveness of its Public Participation and Involvement program annually and therefore, may determine that further public participation activities are needed.

18. Comment: Community Clean-ups: We recommend that the MG be amended to include the number of actual participants in each clean-up and the amount of trash collected, highlighting areas where particularly large volumes of trash were found in order to help the City target its future pollution prevention and clean-up efforts.

Response: BMP 2.1.7 has been revised to address this comment. See revised SWMP dated October 2009. Staff agrees that the BMP should be revised to address this comment and has included Required Revision No. 10 requiring this amendment.

19. Comment: Reporting: This section states that feedback from stakeholders and other sources will be used to improve implementation of all six MCMs. Details as to how the City plans to solicit such feedback must be included

Response: Comment noted. Staff understands that through the implementation of many of the BMPs within the SWMP, feedback will be provided to the City through many avenues (e.g., Community Interest Group participation, Stormwater Hotline, and Public Opinion Surveys) and therefore, is not requiring the City to include these additional details at this time.

Illicit Discharge Detection and Elimination

20. Comment: Education and Outreach: Channelkeeper reiterates our strong recommendation from the Public Education and Outreach MCM that a comprehensive and robust business education program be developed and implemented to reduce stormwater pollution from business and industry in Carpinteria, with specific MGs for regular inspections of all high- and medium-risk businesses and appropriate follow-up and enforcement of any problems identified. We also recommend that activities be included to educate the general public about prevention of pollution from common household wastes and practices.

Response: Staff agrees that a business education program must be developed and implemented to reduce stormwater pollution from business and industry in Carpinteria. Staff has added Required Revision No. 8 requiring this amendment.

21. Comment: Spill Complaint and Response: Channelkeeper agrees with the RWQCB's recommendation to revise this BMP to provide more detail and add MGs to ensure that complaints forwarded to other agencies are followed up, and to re-inspect abated discharges to prevent recurrence.

Response: BMP 3.1.2 has been revised by the City to address this comment. See revised SWMP dated October 2009. Staff agrees that the BMP should be revised to address this comment and has included Required Revision No. 14 requiring this amendment.

22. Comment: Field Investigation and Abatement: Channelkeeper urges the City to be more systematic in its development of a Field Investigation and Abatement program, for instance by establishing a scheduled frequency for conducting field investigations of priority areas. We also recommend that more details be added to this BMP to explain the number of City staff conducting inspections, how they are trained and how often, and how field investigations are conducted and how often. Finally, a MG should be added to conduct follow-up inspections and take enforcement action when necessary to ensure the elimination of 100% of illicit discharges identified.

Response: Staff agrees that a more systematic approach should be taken for the development of a Field Investigation and Abatement program and that more details should be included within this BMP. Staff also agrees that follow-up inspections and enforcement should be included to eliminate illicit discharges. Staff has added Required Revision No. 15 requiring this amendment.

23. Comment: Coordination with Jurisdictional Agencies: This BMP lacks critical information explaining how the work of other concerned agencies is communicated and coordinated with Public Works. It also fails to describe what sites are inspected by the Fire District, and how often the Sanitary District performs smoke testing. We support the RWQCB's recommendation that the City add development of educational resources and inspection checklists to ensure that other agencies are aware of the SWMP requirements and keeping an eye out for stormwater pollution prevention measures or lack thereof.

Response: Staff agrees that this BMP lacks critical information regarding coordination with other jurisdictional agencies. Staff has restated and revised Required Revision No. 16 requiring this amendment.

24. Comment: Municipal Code Language/Stormwater Ordinance: This BMP must be revised to commit the City to developing, through an ordinance or other mechanism, a prohibition on non-stormwater discharges into the MS4, with appropriate enforcement procedures and actions, as required by the General Permit. It must also include means of soliciting public input into the drafting of the ordinance.

Response: BMP 3.1.8 currently commits the City to the development of a Stormwater Ordinance to eliminate illicit discharges. An illicit discharge is a general term that describes all discharges not comprised entirely of stormwater. This is a point of clarification that staff has included as Required Revision No. 19. Staff agrees that the BMP should include means of soliciting public input and has included Required Revision No. 17 requiring this amendment. BMP 3.1.8 has been revised by the City to address this comment. See revised SWMP dated October 2009.

25. Comment: Exempt Non-Stormwater Discharges: This BMP lacks important information about how the City intends to determine whether the listed discharges are significant sources of pollution or nuisance, and about whether and how the City will prohibit those that are.

Response: BMP 3.16 (*typo*) has been revised by the City to address this comment. See revised SWMP dated October 2009. Staff agrees that the BMP should be revised to address this comment and has included Required Revision No. 14 requiring this amendment.

26. Comment: Geographic Assessment: Channelkeeper applauds the City's commitment to developing a Watershed Management Plan and geographic assessment of the potential for illicit discharges based on land use and downstream impairments. We suggest that greater detail be provided on what the City intends to do with the information once the assessment is complete.

Response: Staff agrees that the City should provide greater detail on the action items as a result of the assessment and has restated Required Revision No. 21 requiring this amendment.

27. Comment: Stormwater Monitoring: To Channelkeeper's knowledge, no water monitoring is currently being conducted in Carpinteria. We strongly recommend that the City develop and implement a monitoring program to identify pollution problems and pinpoint sources, and Channelkeeper would be happy to offer our services to assist the City in this effort.

Response: Comment is noted. Stormwater monitoring is not required under the General Permit at this time. However, the City is committed to using and analyzing current monitoring efforts by third parties within the City. Staff has revised and restated Required Revision No. 22 requiring the City to develop a program to determine sources of bacteria and nutrient pollution that enter the City's MS4. This may include monitoring to determine pollutant levels and sources. The City must also consider monitoring as part of its effective assessment during the latter stages of the permit term. Staff may require further monitoring as part of SWMP implementation at a later time.

Construction Site Runoff Control

28. Comment: This MCM lacks adequate detail regarding the requirements of the City's existing grading ordinance and standard conditions related to construction site controls. It also fails to explain how the City will meet the requirements for construction site operators to control construction-related waste, so it is unclear whether these existing measures meet the requirements of the General Permit. If they do not, the City must commit to developing an ordinance requiring the implementation of proper erosion and sediment controls and controls for other wastes on applicable construction sites, with appropriate authority for enforcement and sanctions for non-compliance.

Response: Staff agrees that the MCM lacks appropriate detail regarding permit requirements and has included Required Revision No. 24 requiring amendments.

29. Comment: Another important BMP is also missing from this MCM: educating construction site operators and workers about stormwater pollution prevention through the distribution of brochures, BMP fact sheets and City-sponsored trainings. These efforts should include detailed information about the installation and maintenance of appropriate erosion and sediment control BMPs, as well as references to recognized BMP manuals widely applied by the construction community.

Response: BMP 4.1.1 was added by the City to address this comment. See revised SWMP dated October 2009. However, staff finds that the BMP is lacking detail regarding education and training procedures and therefore, has included revisions to Required Revision No. 25 requiring this amendment.

30. Comment: The SWMP also lacks a BMP establishing procedures for the receipt and consideration of information submitted by the public, and we urge the RWQCB to require such.

Response: Staff agrees that procedures for public input must be included in the SWMP and has restated Required Revision No. 24 requiring this amendment.

31. Comment: Discretionary Project Review: The SWMP needs to specify clearly who will be responsible for monitoring and tracking construction activities for SWMP compliance and how this will be undertaken.

Response: Staff agrees more specifics are need for this BMP and has included Required Revision No. 26 requiring amendments.

32. Comment: Inspection and Enforcement: This BMP does not explain whether and how many inspections take place on construction sites that are less than one acre, nor does it adequately describe the City's enforcement capabilities and procedures. In addition, Channelkeeper strongly recommends that the City commit to developing and implementing a comprehensive construction site tracking database that records basic site information, including the precise location, owner, contractor, size in acres, proximity to natural and man-made hydrologic features, project start and anticipated completion dates, required inspection frequency and items to be inspected at each inspection, and results of all inspections. The tracking system should also document complaints or reports submitted by the public, all violations and associated enforcement actions taken, and any follow-up inspections to ensure correction. Finally, Channelkeeper supports the RWQCB's recommendation that the City develop a stormwater inspection checklist to ensure that inspectors are reviewing all relevant BMPs in the field.

Response: Staff agrees that the BMP does not provide appropriate detail describing implementation and has included Required Revisions No. 27 – 29. BMP 4.1.3 has been revised by the City to address proper tracking of construction project information. See revised SWMP dated October 2009.

33. Comment: Reporting: Again, Channelkeeper asks that the City explain how it plans to solicit feedback from City inspectors, RWQCB staff, construction contractors, project owners and the public.

Response: Comment noted. Staff understands that through the implementation of many of the BMPs within the SWMP, feedback will be provided to the City through many avenues (e.g., Training evaluations, site inspections, and complaint calls) and therefore, is not requiring the City to include these additional details at this time.

Post Construction Runoff Control

34. Comment: Land Use Policies: While Channelkeeper appreciates the detailed list of land use policies, we urge the City to clearly articulate how and under what circumstances these policies are implemented and enforced. We would like to inquire specifically about the details of how Implementation Policy 49 is currently carried out.

Response: Staff agrees that the BMP is incomplete in addressing implementation and enforcement procedures regarding existing land use policies and has included Required Revision No. 30 requiring this amendment.

35. Comment: Discretionary Permit Review Process: It is vitally important that development projects specify BMPs and control measures to protect water quality in the early stages of design. As such, Channelkeeper recommends that pre-application meetings be made mandatory rather than voluntary for moderately complex and complex projects. The SWMP should also make it clear that final BMPs must be selected, sized and sited in order for CEQA review to be completed, rather than later during the land use clearance and permit compliance process. Also necessary is the inclusion of a standard condition of approval to ensure water quality protection *after* construction and details as to how this is applied and verified. Finally, the City should specify the frequency of post-construction stormwater control inspections to be conducted to ensure proper long-term operation and maintenance of BMPs.

Response: Staff agrees that it is important to consider BMP and stormwater control measures early on in the project review process and has included Required Revisions No. 33, 34, and 36 requiring amendments.

36. Comment: Channelkeeper urges the RWQCB to require the inclusion of details regarding when the City's CEQA guidelines and Checklist will be updated and what "potential" revisions are envisioned at that time. We also request clarification about the "new and revised conditions" that address both construction site pollution control and post-construction runoff control, "some" of which shall be considered during the initial design phase of a project if they require significant

land area to implement.

Response: Staff agrees that the City should include details regarding revisions and updates to policies and procedures and has included Required Revisions No. 30, 32 and 33 requiring these amendments.

37. Comment: Staff Training: The training of planning staff to properly condition projects to protect water quality is a vitally important BMP. Channelkeeper therefore recommends that methods be implemented (such as post-training tests) to evaluate the effectiveness of the trainings, and for the results of those evaluations to be used to improve future trainings.

Response: BMP 5.1.7 has been revised to address this comment. The City will also develop an effectiveness assessment strategy (BMP 1.0) that will further incorporate appropriate assessment parameters. See revised SWMP dated October 2009.

38. Comment: Incentive Program for Innovative Site Design: The City should revise the MG for this BMP to advertise the program widely to the development community and to undertake a concerted effort to showcase the innovative projects to the wider community to raise awareness about Low Impact Development.

Response: Staff agrees that the BMP should be advertised to the development community and to showcase projects to raise awareness about LID. Therefore, staff has added Required Revision No. 35 requiring the amendment.

39. Comment: Monitor Discretionary Projects: Again, the City must ensure adequate long-term operation and maintenance of controls. A one-time inspection after construction does not meet this requirement and the BMP should be amended accordingly. Moreover, the MG should also be revised to affirm that all non-compliance issues will not only be documented but also followed up and sanctioned.

Response: Staff agrees that the City must commit to more than a one-time inspection of post-construction projects to ensure proper operation and maintenance of BMPs and therefore, has included Required Revision No. 36 requiring this amendment. BMP 5.1.10 has been added by the City to develop a post-construction stormwater ordinance that will contain enforcement procedures for non-compliance. See revised SWMP dated October 2009.

Pollution Prevention/Good Housekeeping for Municipal Operations

40. Comment: The General Permit requires the development and implementation of an operation and maintenance program with the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Unfortunately Carpinteria's SWMP as currently drafted does not meet this requirement and must be revised accordingly.

Response: Comment noted. Staff has included Required Revisions No. 39 - 48 to improve the operation and maintenance program.

41. Comment: Site Specific Stormwater Management Plans: This BMP needs to be overhauled. The City should begin by conducting a thorough inventory and inspection of all municipal facilities to determine their potential to create or release pollutants, and then develop and implement site-specific written water pollution prevention protocols for all facilities that have such potential. The City should also distribute and make sure the Municipal Operations BMP Fact Sheets developed by Santa Barbara County are used by all such facilities, and should track the number, type and effectiveness of BMPs implemented and conduct annual inspections of each facility to ensure compliance with their specific plans.

Response: BMP 6.1.1 has been revised by the City to address this comment. See revised SWMP dated October 2009. Staff has included Required Revision No. 40 requiring this amendment.

42. Comment: Purchasing and Contracts: The City should add a MG to ensure 100% compliance by contractors

Response: BMP 6.1.2 has been revised by the City to address this comment. See revised SWMP dated October 2009.

43. Comment: Pesticide Management: Channelkeeper urges the addition of MGs to reduce the use of pesticides at municipal facilities to zero and to establish a certain percentage of city parks as pesticide-free zones by Year 5.

Response: Staff agrees that pesticide use should be reduced during the permit term and has included Required Revision No. 42 requiring this amendment. However, staff does not necessarily agree that pesticide use should be removed completely by the end of the permit term. BMP 6.1.3 has been revised by the City to incorporate the Required Revision. See revised SWMP dated October 2009.

44. Comment: Street Sweeping: This BMP is missing pertinent information about the frequency of street sweeping and number of miles of roads swept, and should be revised accordingly. The MG should also be revised to document the amount of trash collected.

Response: BMP 6.1.4 has been revised by the City to address this comment. See revised SWMP dated October 2009. Staff included Required Revision No. 43 requiring this amendment.

45. Comment: Catch Basin and CDS Unit Cleaning: The SWMP should articulate the number of catch basins in the City's jurisdiction, and should include a commitment to evaluate whether cleaning only once a year is adequate and if not, to increase the frequency, particularly before significant rain events. The MG should also be revised to document the amount of trash collected.

Response: BMP 6.1.5 has been revised by the City to address this comment. See revised SWMP dated October 2009. Staff included Required Revision No. 44 requiring this amendment.

46. Comment: Staff and Contractor Training: Channelkeeper recommends that the City include means of evaluating the efficacy of its trainings, such as administering post-training quizzes and/or surveys, and should commit to revising the trainings based on these evaluations.

Response: BMP 6.1.7 has been revised by the City to address this comment. See revised SWMP dated October 2009. Staff included Required Revision No. 46 requiring this amendment.

Comments from Heal the Ocean, October 1, 2009

General Comments

47. Comment: ...Heal the Ocean would like to have emphasized in the Carpinteria SWMP specific plans for the creeks within Carpinteria's jurisdiction, particularly those that are 303(d) listed. The Draft SWMP lists (on page 10) the four main creeks within its jurisdiction (page 10): Carpinteria Creek, Franklin Creek, Santa Monica Creek and Lagunitas Creek, ... but provides no detail as to how problematic runoff to these creeks will be handled. This is particularly unhelpful in the matter of the creeks that are 303(d) listed for specific impairments. In the same vein, Table 1 (page 14 of the December 2008 Draft) lists 303(d) Listed Water bodies within the City of Carpinteria's jurisdiction, and describes Pollutants of Concern (POCs), yet there is no discussion in the Draft SWMP as to how the City intends to tackle these POCs. ... It should be noted that the Carpinteria Valley is a major agricultural area, with many greenhouses that use fertilizers, yet there is no language in the draft SWMP that addresses how the City can begin or maintain a program to control nitrogen runoff into storm drains, creeks and the ocean. While the origins of the nitrogen runoff may occur within Santa Barbara County jurisdiction, the City of

Carpinteria should undertake a program similar to Santa Maria, where the city of Santa Maria is monitoring and investigating what is going into the Santa Maria River and from whom (city or county). ... A strong measure of the Illicit Discharge Detection and Elimination MCM is needed here, along with enforcement.

Response: Staff has included specific Required Revisions for the SWMP to incorporate connections between POCs and BMP development. See Required Revisions No. 3, 12, and 21.

48. Comment: In the December 2008 Draft SWMP the time tables for BMP implementation for all MCMs is too often "Year 1-5" – which gives no specifics for certain goals that must be met. Perhaps a review of the City of Santa Barbara's SWMP schedule could serve as a guide to the City of Carpinteria.

Response: Many of the BMPs are to be implemented annually during the permit term and are therefore identified appropriately in the time tables.

1. Public Education and Outreach

49. Comment: a) Website: There is no timeline given for the development of the City's Stormwater Management website, nor for the compilation of a list of Discharger Communities. (Heal the Ocean is discouraged to see that no such website exists already.)

Response: BMP 1.1.4 has been revised by the City to address this comment. See revised SWMP dated October 2009.

50. Comment: b) Hotline: the City needs to develop a Stormwater Hotline that is other than the County of Santa Barbara (1-877-OUR-OCEAN), which is ineffective because too far away (and inoperable on weekends). Heal the Ocean has worked with the City of Santa Barbara to establish an emergency response through 911. The City of Carpinteria should investigate the 911 connection for itself, and also check with the City of Carpinteria Fire Department for emergency response (i.e. sewage spills).

Response: BMP 1.1.10 has been revised by the City to address this comment. See revised SWMP dated October 2009.

51. Comment: c) Public Opinion Survey(1.1.10) "...will be distributed during Year 5 of the permit term as a stuffer in the water bill sent out to all residents." Year 5? This is useless. Some form of measuring effectiveness should be implemented in Year 2.

Response: The City has included BMP 1.0 to develop an Effectiveness Assessment Strategy in year one to define appropriate assessment parameters. See revised SWMP dated October 2009. Staff agrees that the BMP should be revised to address this comment and has included Required Revision No. 2 requiring this amendment.

52. Comment: d) Measurable Goals_(1.2). The language included in this section does not provide for Measurable Goals.

Response: Staff agrees and has included Required Revision No. 2 regarding effectiveness assessment and MG guidance. Table 1-1 has been revised by the City to include measurable goals. See revised SWMP dated October 2009.

2. Public Participation and Involvement

53. Comment: a) 2.1.1 "Creation of a Community Interest Group" includes the language, "or as needed," and this vague wording provides an opt-out.

Response: Staff agrees that more explicit detail regarding interest group meetings is needed and has included Required Revision No. 9 requiring this amendment.

54. Comment: b) 2.1.1 in the listing of the “following community groups,” the South Coast Watershed Resource Center is not a community group, it is a building.

Response: Comment noted.

3. Illicit Discharge Detection and Elimination

55. Comment: This entire section is extraordinarily vague. ... Heal the Ocean cannot emphasize enough the importance of exact language for this section (Illicit Discharge Detection and Elimination). We receive many calls from citizens complaining about illicit discharges from the Carpinteria greenhouse area(s), and believe Carpinteria officials need the authority to ticket and fine – *monetarily* – repeat offenders. ... The City of Carpinteria should adopt a “no tolerance” policy with regard to the issuance of warnings regarding permit violations and impose a mandatory financial penalty for repeated. In addition the City should adopt a “three strikes” policy, requiring a maximum fine after three violations.

Response: Staff agrees that a more explicit description of enforcement procedures should be contained in the SWMP and has included Required Revision Nos. 14 and 18 requiring these amendments.

56. Comment: BMP 3.1.1 Storm Drain System Mapping. Indicates completion of mapping of Storm Drain Master Plan by 12/3/08. It is now 9/24/09. Has this Master Plan been completed?

Response: BMP 3.1.1 has been revised by the City to address this comment. See revised SWMP dated October 2009.

57. Comment: BMP 3.1.2. Education and Outreach. “See section 1.0 Public Education and Outreach measurable goals” is not satisfactory. There are no timelines in section 1.0 of the draft SWMP. “Continue to utilize web sites, hotline....to educate the community,” between Years 1-5, also too vague, specific timelines are needed.

Response: BMP 3.1.2 has been revised by the City to address this comment. See revised SWMP dated October 2009. Many of the BMPs are to be implemented annually during the permit term and are therefore identified appropriately in the time tables.

58. Comment: BMP 3.1.3 (Part 1) Identification and Elimination of Illicit Discharge Sources. “Respond to complaints received through City Hall...”_What does this mean? Does one call the mayor? The SWMP needs to spell out how “Public Works staff” can be contacted. “Spill and complaint calls may be received directly from the public, from City staff doing routine field work...” What is “routine? How often is City staff in the field? MG describes response to complaints *within 1 (one) business day*. As noted above, the City of Carpinteria needs to investigate connection with 911 emergency services in the case of sewage spill, and 24 hours is too long for effective response.

Response: BMP 3.1.3 has been revised by the City to address this comment. See revised SWMP dated October 2009. Complaint calls are received through the City’s Code Enforcement Hotline or through 911, which will be promoted in various outreach materials as part of the Public Education and Outreach program. Staff agrees that the BMP should be revised to address this comment and has included Required Revision No. 14 requiring this amendment.

59. Comment: BMP 3.1.3 (Part 2) Field Investigation and Abatement. Florists/greenhouses need to be added to the list of areas subject to field investigations. Also the Carpinteria polo grounds and horse properties. Given that horses, agriculture and greenhouses are prominent activities in the Carpinteria Valley, the SWMP must give particular notice – and specific language – to the control of storm water violations from these activities. **Response: The City has included, in the SWMP, reference to areas of priority concern for investigation of potential illicit discharges. The City understands that it must investigate and abate all identified illicit discharges to the MS4. Staff has revised Required Revision No. 15 requiring the City to commit to investigating and abating 100 percent of all identified**

illicit discharges to clarify this point. However, most if not all of the greenhouses and the polo grounds are outside of the City's jurisdiction. Staff has included Required Revision No. 12 requiring that the City develop a program to identify sources of bacteria and nutrients entering the City's MS4. Source identification may then be forwarded to the County of Santa Barbara and the Water Board for further action.

60. Comment: BMP 3.1.4 Coordination with Jurisdictional Agencies. This section of the Draft SWMP merely describes the activities of agencies other than the City of Carpinteria, and gives no language to indicate how these agencies would work together with the City to implement SWMP measures. Within Year 1, the City should establish coordination with Fire, Sanitary District, Flood Control, and specifically spell out how the coordination would work.

Response: BMP 3.1.4 has been revised by the City to address this comment. See revised SWMP dated October 2009. Staff agrees that the BMP should be revised to address this comment and has included Required Revision No. 16 requiring this amendment.

61. Comment: Regarding BMP 3.1.6 in the main body of the SWMP document, Table 3-1 (on page 42) lists Discharges Exempted from SWMP Regulation, and includes Irrigation water as exempted from SWMP regulation. This needs to be reconsidered. Although these exempted discharges are standard language in the General Permit, in the matter of Carpinteria Valley, Irrigation water from greenhouses are loaded with nitrates... Heal the Ocean suggests that in Carpinteria the subject of "Irrigation water" be given specific, special attention and regulatory language in the SWMP.

Response: Staff agrees that exempted non-stormwater discharges must be evaluated to determine their potential to discharge pollutants and has included Required Revision No. 20 requiring this amendment. However, most if not all of the greenhouses are outside of the City's jurisdiction. Therefore, the City is unable to take enforcement action against these discharges. Identification of such sources can be forwarded to the County of Santa Barbara and the Central Coast Water Board for further action.

62. Comment: BMP 3.1.7 Geographic Assessment of Potential Illicit Discharges. Heal the Ocean commends the City for making a Year 1 Goal the spatial assessment of *the potential for different types of illicit discharge based on land use...* but encourages the City to include in the main body of this text (on page 42) some language indicating current, well-known, knowledge about Carpinteria Valley's main industries and/or activities – greenhouses and horses (Polo Field).

Response: See response to comment #56.

63. Comment: The text in main body (page 42) about septic systems, "...if there are known septic systems that are not connected to the sanitary sewer system, such systems will be located and assessed for potential connection to the storm drain (i.e. through groundwater)..." This is an enormous statement that requires scientific connection of groundwater to storm drain system, and needs rewrite. ...

Response: The City has determined, through the Santa Barbara County's 2003 Questa Engineering Sanitary System Survey, that septic systems are not a major source of pollutants to the City's MS4 and therefore, has removed septic references from this section.

64. Comment: BMP 3.1.8 Stormwater Monitoring. "The City will keep abreast of monitoring efforts on local creeks..." The City is required to do more than "keep abreast" of "monitoring efforts," and must come up with a definite plan and schedule for monitoring, or at least indicate how it will coordinate with local coalition(s) that are monitoring the watersheds within Carpinteria's jurisdiction.

Response: The City has revised BMP 3.1.8 addressing this comment. Staff agrees that there should be coordination with local coalitions that are currently monitoring surface

waters within the City's jurisdiction and has included Required Revision No. 22 requiring this amendment.

4. Construction Site Runoff Control

65. Comment: ...Heal the Ocean recommends that the City of Carpinteria adopt a "no tolerance" policy with regard to the issuance of warnings regarding permit violations related to construction site runoff control measures and impose a mandatory \$100 fine for first offenses. In addition the City should adopt a "three strikes" policy, requiring the maximum fine after three violations.

Response: Staff agrees that a more explicit description of enforcement procedures should be contained in the SWMP and has included Required Revision No. 28 requiring this amendment.

67. Comment: ...Discretionary Project Review (4.1.2)...."Staff will be trained in the appropriate selection and application of adopted Standard Conditions that relate to storm water." The SWMP should distinctly describe "adopted Standard Conditions that relate to storm water" and reflect the requirements of the State General Permit in the matter of enforcement.

Response: Staff agrees that a more explicit discussion of Standard Conditions policies and enforcement procedures should be included in the SWMP. Staff has included Required Revisions No. 24, 26, 28 and 30 requiring these amendments.

68. Comment: Response to storm water violations (4.1.3) are "...within 24 hours of receipt of the complaint..." 24 hours is an entire day. This response time is not nearly fast enough. As suggested earlier in this comment letter, suggest that the City of Carpinteria establish a connection with 911 and/or a response program with the City's Fire Department.

Response: The City has established a connection with 911 services as part of the Illicit Discharge Detection and Elimination program. Staff finds that the goal to respond to a public complaint, regarding construction site non-compliance, within one day of a reported complaint is a reasonable response time frame.

69. Comment: Tougher enforcement language needed. Repeating our request for tougher enforcement language in the "Illicit Discharge Detection and Elimination" section of the SWMP, Heal the Ocean is adamant that the City of Carpinteria adopt a "no tolerance" policy with regard to the issuance of warnings for permit violations for Construction Site Runoff and impose a mandatory financial penalty for repeated violations. In addition the City should adopt a "three strikes" policy, requiring a maximum fine after three violations.

Response: See response to comment #65.

5. Post-Construction Runoff Control

70. Comment: Heal the Ocean concurs with Regional Board staff on every one of the Required Revisions in this section of the SWMP, and in particular asks the Regional Board to ensure that one of the three options for hydromodification criteria are included in the City of Carpinteria SWMP before any approval is given to the overall document.

Response: Staff has included Required Revision No. 31 requiring this amendment.

