



**SANTA BARBARA
CHANNELKEEPER®**

*Protecting and Restoring
the Santa Barbara Channel
and its Watersheds*

May 21, 2012

Ms. Diane Kukol
Central Coast regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

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via email: dkukol@waterboards.ca.gov

Re: Public Notice of Plan for No Further Action. Santa Barbara Harbor, Santa Barbara, CA. April 16, 2012

Dear Ms. Kukol:

Please accept the following comments on the Public Notice of Plan for No Further Action regarding the Santa Barbara Harbor, Santa Barbara, CA dated April 16, 2012, which are hereby submitted by Santa Barbara Channelkeeper. Santa Barbara Channelkeeper is a local non-profit environmental organization dedicated to protecting and restoring the Santa Barbara Channel and its watersheds through citizen action, education and enforcement. The Santa Barbara Harbor is an iconic component of our longstanding maritime history and an integral resource to our community. We, therefore, believe it is critical to ensure it is maintaining high standards for the protection of its marine habitats and wildlife.

Below are Channelkeeper's comments regarding the California Regional Water Quality Control Board (Water Board) impending decision whether no further action is needed in the cleanup of illegal marine battery disposal into the Santa Barbara Harbor (Harbor) and the investigation of Harbor bottom sediments. It is Channelkeeper's opinion that enough evidence from past sampling data exists to suggest the Harbor has concerning contamination of its sediments, at least in localized areas, to warrant continued diligence and perhaps monitoring, and certainly a strict attention to any activity that may suspend these contaminants. A more detailed discussion follows.

From Santa Barbara Channelkeeper's review of the documents and reports associated with this case, it is clear that the concerns for and further investigation of contamination of sediments and water were warranted, especially in the location of the New Dry Dock. Initial 'screening' tests conducted by the California Department of Fish and Game in 2002 lead the Department to conclude in a letter to the Water Board on April 10, 2003 that, "it is the Department's position that sediment contamination below the Dry Dock is likely to pose a significant potential threat to fish and wildlife in and around the Harbor" and that other "'Hot Spots' may exist within the Harbor." These findings are what ultimately lead to further sampling in the New Dry Dock area and other identified sites between 2002 and 2006. And while Channelkeeper agrees with the assessment of the Water Board in its Memorandum on February 29, 2012 that the samples indicate the contamination at the New Dry Dock site is localized and likely not extending to contamination throughout the Harbor, a significant proportion of samples taken during this time period identify levels of various contaminants do exceed Effects Range-Low and many that exceed Effects Range-Median and even Probable



Effects Level metrics implying a significant concern for the potential to affect wildlife. Furthermore, the more recent sample data (2006) seem to suggest no real change in contamination from those in 2002 that originally raised such concern for wildlife, with continued exceedances for specifically copper, dibutyltin, and tributyltin. Therefore, while admittedly localized, it appears the New Dry Dock site does continue to exhibit a real contamination concern and it is our hope that the Water Board recognizes this potential, especially if further development is planned in this area or dredging remains a possibility. For this reason, Channelkeeper recommends that the Water Board takes a much more strict position in its February 29, 2012 recommendations and require the City to conduct all the mentioned testing if the City does chose to dredge the site of the New Dry Dock. In addition, any development of this area, including driving of pylons for new slips, should get equal scrutiny and the required implementation of preventative approaches to lessening the suspension of sediments and particulate.

In addition, Channelkeeper remains concerned that the Central Coast Ambient Monitoring Program's 2007 report - *Environmental Condition of Water, Sediment, and Tissue Quality in Central Coast Harbors* – identified that out of six harbors along the Central Coast, Santa Barbara Harbor had the greatest proportion of sediment quality monitoring stations rated “poor” (83.3%). A rating of “poor” was the lowest rating applied in the study. Cumulatively, these findings and those associated with more targeted localized sampling at such areas as the New Dry Dock, suggest sediment and water quality in the Harbor can show chronic levels of contamination and should warrant further scrutiny, including the possible recommendation of continued monitoring. That said, Channelkeeper is pleased to see and commends the Harbor on making progress toward water and sediment quality improvements, such as its adherence to the Waterfront Department's Stormwater Pollution Prevention Plan, its removal of the New Dry Dock, and its proactive clean-up efforts. It must be pointed out, however, that pollution problems are numerous and diligence is required – case in point being that, while illegally dumped marine batteries were successfully removed in 2003, this was not an isolated instance. In fact, the Notice of Plan for No Further Action, unfortunately misrepresents the mere fact that there has not been illegal dumping of marine batteries since 2003. Just this year, at the Harbor's underwater clean up event in which Channelkeeper participated, five marine batteries were found.

Thank you for your consideration of the above comments on the Public Notice of Plan for No Further Action regarding the Santa Barbara Harbor. Channelkeeper appreciates the Water Board's thorough attention to and deliberation on this decision. Please feel free to contact me via email at michael@sbck.org or telephone at 805.563.3377 ext.2 should you have any questions.

Sincerely,



Michael Sheehy
Marine Programs Director
Santa Barbara Channelkeeper