

STANDARD URBAN STORM WATER MITIGATION PLANS

SUMMARY OF COMMENTS RECEIVED (SINCE DECEMBER 6, 1999) AND RESPONSE - SUPPLEMENT

COMMENTS	COMMENT	RESPONSE	ACTION
<u>General</u> Claremont, West Covina, CRA, EAC, New Hall Land	1. Postpone issuance of SUSMP until SUSMP recirculated for further study and comment.	SUSMP was public noticed to provide a 30 day review period	No action recommended
Diamond Bar West Covina, EAC, New Hall Land.	2. Should not enlarge scope of SUSMPs to include two new categories: parking lots & environmentally sensitive areas. Defer to for consideration in next permit.	Categories are already included in Long Beach permit. RB Executive Officer has discretionary authority to designate additional sources of pollutants for management.	No action recommended
City of Long Beach: Attorney	3. Revise findings in Tentative Resolution to reflect two separate permits are affected by this resolution.	Changes to the Tentative Resolution will be considered.	Will amend resolution
Diamond Bar, EAC	4. No notice to meet has been issued for the SUSMP deficiency.	RB Executive Officer has met with parties repeatedly.	No action recommended
Heal the Bay, NRDC	5. Change "Retail Gasoline Outlet" definitions to include all facilities with gas pumps.	Definition has been changed to clarify primary activity, which is the more than 50 percent sale of automotive related products.	Amended definition
West Covina, EAC, CEA, , County of LA Dept. of Public Works, Heal the Bay, State of California Santa Monica Mountains Conservancy	6. Make definitions unambiguous (Hillside, Environmentally Sensitive Areas, Redevelopment)	Will revise definitions based on comments	Amended definitions
Heal the Bay, NRDC	7. Change the "Hillside" definition- grading with occur naturally where slope is 15% or greater & plans include cut or fill slopes 30 feet high or greater.	Definition has been changed to 25 percent natural slope.	Amended definitions
Public Works Agency County of Ventura	8. Require protection of unconfined groundwater basins	Protection of unconfined may be an appropriate consideration	No action recommended at this time.
City of Rancho Palos Verdes, EAC	9. Include numerical standard trigger for hillside SUSMP to 1 acre or more.	Hillside has been defined on 25 percent slope. No basis for acreage threshold.	Amended definitions
South Gate, EAC	8. Available guidelines to "conserve natural areas" are too vague for implementation	Disagree. Guidelines are sufficiently clear without being prescriptive.	No action recommended
County of LA Dept. of Public Works,	10. Delete the statement, "each Permittee will approve an USMP" because it is not consistent with the Model Program.	The sentence has been changed to delete the USMP reference.	Amended sentence

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State of California Santa Monica Mountains Conservancy	11. Require that funds be available to provide for BMP Maintenance.	BMP maintenance is a necessary component of SUSMP implementation. Permittees are best able to identify source of funds.	No action recommended
California Coastal Commission	12. SUSMP requirements as is will improve water quality	Requirements are intended to minimize water quality impacts of development.	No action recommended
<u>Technical</u> AbTech Industries, Air Liquide, AKERS Entertainment Marketing, California Coastal Commission, CALPIRG, CDS Technologies Inc., La Canada Flintridge, Pasadena: Public Works & Transportation Department, South Gate, Cruz/Kravetz: IDEAS, JBI Process Equipment, Ballona Wetlands Foundation, Center for Marine Conservation, Center for Watershed Protection, 13 Citizen Comment Letters, Community Coalition for Change, County of LA Dept. of Public Works, Defend the Bay, Earth Communications Office, Environmental Defense Center, Friends of the LA River, Heal the Bay, Malibu Bay Company, NRDC, Public Works Agency Ventura County, Santa Monica Baykeeper, Sierra Club, South Bay Surfrider Chapter, Stainless Industrial Companies, University of Alabama, University of Georgia	13. Support the "3/4-inch" criteria because it is a Design Standard not a "Numerical Limit". The standard is reasonable for storm water runoff and makes economic sense for the greater Los Angeles area.	The design is statistically based and reasonable.	No change recommended
Ventura County Flood Control District	14. Peak Flow Rate control condition for BMP design indicates confusion between requirements for peak flow rate control versus a standard that allows the use of low flow-based water quality treatment control BMPs.	The peak flow rate condition is intended to limit down-stream erosion and over-bank flooding. Criteria for flow-sensitive BMPs will need to be developed in the future. Suggest BMP use consistent with manufacturer specs for now.	No action recommended at this time.
Ventura County Flood Control District	15. SUSMP design options are not technically equivalent- request a review of backup calculations and modifications of the percent capture to reflect equivalent standards.	Reviewed calculations and corrected percent capture to 80 percent.	Design standard for percent capture amended.
San Gabriel Valley Council of Gov'ts, South Bay Cities Council of Gov'ts	16. Defer inclusion of numeric standards until an evaluation of effectiveness treatment control BMPs for the pollutants of concern .	The numeric design standard has no bearing on effectiveness. BMP effectiveness data is available from national databases.	No action recommended.

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San Gabriel Valley Council of Govts, South Bay Cities Council of Govts	17. Defer inclusion of numeric standards into SUSMPs until an "out clause" has been established in the event a numeric standard can't be met for reasons of economy or feasibility.	The SUSMP already includes a waiver for recognized conditions when implementation of the design standard is impracticable.	No action recommended.
ASCE-Los Angeles Section, BIA, CEA, City of Long Beach: Office of City Attorney, EAC, New Hall Land, San Gabriel Valley Council of Govts, South Bay Cities Council of Govts	18. Empirical data on the efficacy of numerical design standards as a minimum are unavailable. There is also lack of data proving the numerical standards are cost effective.	Disagree. See discussion in Staff Report.	No action recommended.
SCAG	19. The use of "numeric standards" should be used as a "backup" policy, not a "front-end" policy, when identified priority pollution problems are not mitigated.	Federal regulations require that pollutants in storm water be reduced to the maximum extent practicable. A design standard is proper.	No action recommended.
West Covina, County of LA Dept. of Public Works, EAC	20. SUSMP should not apply to storm water runoff which does not flow across a source of pollutants.	SUSMP applies to the total project. Treatment mitigation credit is allowed for directly connected roof surface area.	No action recommended.
West Covina	21. Include a parking lot credit for use of vegetation on parking lot islands.	Parking lot requirements promote infiltration. Separate credit is not required for island areas.	No action recommended.
Heal the Bay, NRDC, Malibu Bay Company, USEPA, Ventura County Flood Control District	22. Remove the roofing exclusion in order not to encourage increase in impervious areas	Roofing exclusion credit is limited to situations where water quality impact is minimal.	No action recommended.
Heal the Bay, NRDC	23. Remove small restaurant exemption- no correlation between the size of a restaurant and amount of pollution it produces.	Small restaurant exemption applies only for BMP design standard criteria. All other requirements remain the same.	No action recommended.
<u>Legal</u> West Covina, Heal the Bay	24. State legal basis for Permittee City to take remedial action against a private party.	Legal basis will be applicable provisions in the federal Clean Water Act, the State Water Code, the MS4 permit, and local codes and ordinances	No action recommended.
Calf. SWQTF	25. Requirements intrude into local government responsibility and have more than regional significance.	Requirements are proposed consistent with federal storm water regulations. See <u>Staff Report</u> , Section 8: Legal and Regulatory Basis	No action recommended.
State of California Santa Monica Mountains Conservancy	26. The SUSMP Waiver section provides loopholes for developers to use.	Waiver provision provides relief if impracticability is established.	No action recommended.
USEPA	27. The requirements of the proposed SUSMP are consistent with the requirements of the CWA, applicable NPDES regulation, and EPA guidance.	Agree that requirements are consistent with state and federal law.	No action recommended.
NRDC	28. Eliminate the Self-Certification option for SUSMP review.	The third party certification option is intended to limit resource demands on municipalities. Will discourage use of the option for significant projects.	No action recommended.