

County of Santa Barbara Public Works Department
Project Clean Water

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October 24, 2011

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Subject: Proposed Ocean Plan Amendments

Dear Ms. Townsend and Members of the Board:

Thank you for the opportunity to comment on the proposed amendments to the California Ocean Plan as stated in the draft Substitute Environmental Documentation. Santa Barbara County is located along the California coast, and would be affected by the proposed amendments. Our comments specifically address Issue 1: Model Monitoring (as detailed in Appendix III within Appendix A to the SED - Proposed Amendments to the 2009 Ocean Plan) and reiterate those submitted by the California Stormwater Quality Association (CASQA), which we fully support.

The County has four primary concerns with the proposed regulations, as follows:

1. Proposed Amendments Duplicate Existing Requirements

Through NPDES Permit provisions and TMDL requirements, Municipal Separate Storm Sewer System (MS4) permittees already perform extensive monitoring of discharges and receiving waters. In addition, there is significant overlap of the proposed Model Monitoring amendments with monitoring requirements included in:

- beach water quality monitoring required under AB 411,
- the proposed Special Protections for Areas of Special Biological Significance (ASBS),
- the proposed State Toxicity Policy, and
- the proposed sediment quality objectives (SQOs) for enclosed bays and estuaries being developed under the umbrella of the Bay Protection and Toxic Cleanup Program.

The proposed monitoring amendments should be carefully evaluated with respect to duplication of effort, particularly regarding the ongoing NPDES Permit, TMDL, and AB 411 monitoring.

2. Proposed Amendments Add Confusion to Already-Complex Regulations

There is a clear need for a comprehensive review and evaluation of the monitoring requirements included within the various proposed new and amended Plans and Policies, and development of a coherent, integrated approach to water quality monitoring throughout the state. This integrated approach should consider ongoing monitoring requirements as currently implemented by NPDES Permits, TMDLs, AB 411 monitoring.

3. Proposed Amendments Would Increase Costs without Clear Benefit

The County is concerned about the incremental costs associated with the proposed Model Monitoring amendments without a corresponding water quality benefit from the proposed additional monitoring. This concern is based on doubts regarding the feasibility of answering the questions proposed in the amendments and the technical challenges inherent in coastal monitoring and stormwater quality data analysis.

4. Proposed Amendments Add Unnecessary Burden to Dischargers and Regulatory Staff

At a time when local, regional, and state agencies alike are struggling with resource limitations, including budget constraints and staffing restrictions, the proposed amendments would increase the regulatory burden on both the regulated community and the regulatory agencies.

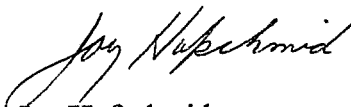
Summary

Given that there are already effective processes and mechanisms in place to address the ocean water quality, given the duplication of effort and confusion likely to result from implementation of the proposed Model Monitoring amendments, and given the lack of useful benefit likely to be gained from the proposed amendments, imposition of these additional monitoring requirements is unjustified at this time. The proposed Model Monitoring amendments detract from the more effective practice of developing monitoring requirements for specific dischargers to address particular environmental circumstances, and the amendments would add unnecessary complexity to the growing list of overlapping regulatory requirements facing coastal dischargers.

For these reasons, the County requests that the proposed Model Monitoring amendments be withdrawn, and that the State Water Board instead convene an expert panel to review monitoring requirements statewide, and recommend a coherent, integrated approach to efficiently address the various needs for water quality monitoring in California, as requested by CASQA.

Thank you for your consideration of our comments. If you have any questions, I can be reached at (805) 568-3373.

Sincerely,



Joy Hufschmid
Project Clean Water Manager