

**San Luis Obispo County Storm Water Management Program
Response to Comments from Richard Horner, December 10, 2004 Letter**

1. The storm water programs of the County and its seven incorporated cities are poorly integrated and coordinated. The lack of integration and coordination is a significant weakness of all jurisdictions' programs. The area constitutes a single MS4 with substantial sharing of aquatic resources and interconnection of hydrologic systems. For the Storm Water Management Program (SWMP) to ignore this biogeophysical reality it to court failure. (p 3, paragraph 2.)

Response: Although there may be advantages to a regional approach, it is not a requirement. The County participates in the San Luis Obispo County Partners for Water Quality, which includes the cities within San Luis Obispo County. The group meets monthly to share public education and outreach resources to reach as many citizens as possible with a consistent message for all communities. The San Luis Obispo permit areas are not a single MS4 and do not share interconnected hydrologic systems. The SWMP permit areas are located in two different hydrologic units (Salinas Hydrologic Unit, Estero Bay Hydrologic Unit) and numerous hydrologic areas (Paso Robles, Cambria, Point Buchon, Arroyo Grande).

2. The public education and outreach MCM lacks two important elements: (1) more direct and proactive means of disseminating educational materials to reach all County residents, and (2) providing training for regulated commercial, industrial, and institutional establishments. (p 4, paragraph 4.)

Response: The County will broadcast television and radio public service announcements (PE3, PE4), will distribute printed materials to all residents (PE5), commercial businesses (PE6), industrial operations (PE7), construction industry (PE8), and tourists (PE12) by permit year 3.

3. The implementation schedule is too delayed for BMP #2 and #7. In both cases completion of the initial rounds of education will not occur until the end of the fourth year. (p 4, paragraph 5.)

Response: The County will distribute educational materials to all schools every three years (PE10B). The County will provide educational materials and mutt mitt stations in all County parks by year three (PE18A), will distribute pet waste management brochures with dog license renewals starting in year two, and will distribute pet waste information using radio public service announcements starting in year one (PE18F).

4. The proposed schedules for BMP #10 and #11 are too slow and do not even reach a state of completion after five years. Only 45 percent of streams will be covered at that point. Stencils will be applied to only 75 percent of catch basins. (p 5, paragraph 1.)

Response: The County will promote urban watch, first flush, and snapshot day monitoring programs. The draft Resolution requires that the County provide water quality monitoring program specifics in their first annual report including the number of participants, sampling locations, and planned events for permit year two. The County will implement an adopt a storm drain program with the goal of increasing participation by 10% per year starting in permit year one (PP7). All storm drains in the permit area will be marked by the end of permit year three (PP4).

5. The illicit discharge detection and elimination program lacks a preventative program to ensure that new illicit connections do not occur in new construction and reconstruction. This preventative program should involve both plan review and site inspections. (p 5, paragraph 2, first bullet.)

Response: The County will include illicit connection and discharge procedures in the construction plan review and building inspections on an ongoing basis for new development and redevelopment projects (IL5).

6. The illicit discharge detection and elimination program lacks a program for responding to leaks or spills of potentially polluting materials from vehicles, businesses, and the sanitary sewer system. (p 5, paragraph 2, second bullet.)

Response: The County currently has sanitary sewer overflow procedures and reporting systems in place. The County will audit the operation and maintenance program for county operated wastewater treatment systems to ensure proper operation and maintenance (IL6). Sanitary sewer overflows will be tracked, with trends analyzed annually.

7. The illicit discharge detection and elimination program lacks a program and procedure for eliminating detected illicit connections and a system of enforcement and penalties. (p 5, paragraph 2, third and fourth bullet.)

Response: The County will develop and implement, in permit year one, a procedure and checklist for detecting illicit connections and discharges (IL4A). The County will establish a system of enforcement and penalties to ensure illicit connections and discharges are eliminated (IL4C). The County's frequent inspections of the entire system (MO3) will also allow the County to detect illicit connections. Once detected, trace-back inspections will determine the source of illicit discharges.

8. It is not acceptable to take five years for full system mapping (BMP #13). (p 5, paragraph 3.)

Response: The County will map the storm sewer system within the permit area by the end of permit year two and will update the map annually (IL2).

9. BMP #14 should include sanctions against non-complying septic systems and should require the inspection of all systems well before the passage of five years. (p 5, paragraph 3.)

Response: The County will inspect all County owned septic systems and septic systems in key areas (identified as part of IL7B) by the end of permit year five (IL7C). The commenter does not provide information as to why the County must inspect all septic systems 'well before five years' or what 'well before five years' actually means. The County will adopt an ordinance prohibiting illicit discharges in permit year two (IL1A) and will establish a system of enforcement and penalties in permit year three (IL1B).

10. Under BMP #15 all catch basins should be stenciled and all drainage channels signed. (p 5, paragraph 3.)

Response: The County will post signs prohibiting illegal dumping in the top ten illegal dumping areas by permit year three (IL8B). All County storm drains will be stenciled by the end of permit year three (PP4).

11. BMP #16 does not completely cover the needs for properly managing sanitary sewers. The BMP should embrace spill prevention, a response procedure to use if a spill occurs, isolating a spill to prevent or minimize flow to a storm sewer, and clean-up procedures. (p 5, paragraph 3.)

Response: The County will audit the operations and maintenance programs for County operated wastewater treatment systems to ensure the systems are properly operated and maintained to prevent sanitary sewer overflows and spills to the storm sewer system (IL6A). The County will track and trend sanitary sewer overflow events and implement corrective measures (IL6B) to prevent future overflows.

12. BMP #17 seems to anticipate only on-site inspections. However, other techniques are very likely to be needed (e.g., as built plan review, video inspection, field screening, dye testing, discharge sampling). (p 5, paragraph 3.)

Response: The County will conduct plan reviews for all new development (IL5) and will conduct field screening and routine cleaning twice per year on the entire storm sewer system (MO3A).

13. The construction site runoff control MCM is incomplete and vague overall. The County should use the Los Angeles County Implementation Manuals for private and public agency construction projects for a complete program. The elements of the Los Angeles County Manuals represent the core of a complete program and materials already produced are good models allowing easy adaptation to local circumstances. (p 5, paragraph 4.)

Response: The County will develop and distribute a construction site BMP policy and procedures guidance manual using the California Stormwater Quality Association construction BMP manual as a model (CON5).

14. California has one of the most up-to-date set of stormwater management handbooks in the nation. The Construction Handbook is available for referencing, so that the County does not have to produce the BMP selection, design, installation, and maintenance specifications themselves. (p 6, first full paragraph.)

Response: See response to comment 13.

15. BMP #22 requires no review and inspection of BMPs until the fourth year and provides no idea of what the review and inspection standards will be at any point. (p 6, paragraph 2.)

Response: The County will create procedures for inspecting construction sites, will establish protocols to determine inspection priorities and frequencies in permit year one, and will inspect construction sites to ensure BMPs are properly implemented, starting in permit year two (CON3).

16. The post construction runoff control in new development and redevelopment MCM is missing considerations including urban storm water mitigation planning, guidance for planning process, the application and selection of various classes of BMPs (site design, source control, runoff quantity control, and runoff treatment), and how to design, build, and maintain these BMPs. All of the urban counties of southern California have worked through the process and built their post-construction programs around standard urban storm water management plans (SUSMPs) for specified development categories. (p 6, paragraph 3 and 4.)

Response: The County will revise existing land use ordinances to include General Permit Attachment 4 design standards (PC1). The County will develop and distribute a low impact development (LID) design standard manual using the SUSMP as a model (PC5). The County will develop and implement an LID incentive program to encourage the use of LID (PC7).

17. BMP #25 and #26 provide cases in point regarding the inadequacy of the post-construction runoff control measures. As drafted, they would accomplish no infrastructure or land use planning for storm water pollution planning until the fourth year. Once again, hundreds of jurisdictions passed well beyond this point to have fully developed construction storm water management programs years ago. (p 6, paragraph 6.)

Response: The County will revise existing land use ordinances to include General Permit Attachment 4 design standards in permit year three (PC1). The County will include a post-construction stormwater management review process in permit year one (PC3).

18. Another SWMP weakness is the requirements associated with redevelopment. According to Appendix G, if redevelopment increases impervious surface less than 50 percent, the SWMP's requirements would apply only to the addition and not the remainder. (p 7, first full paragraph.)

Response: The commenter is referencing the definition of redevelopment that is taken directly from the Municipal General Permit Attachment 9 Definition of Terms. The County must decide, when it revises its land use ordinances to include General Permit Attachment 4 design standards, whether to follow that definition or implement a more stringent standard. The commenter has provided no information as to why the County should be required go above and beyond the General Permit requirements.

19. Pollution prevention and good housekeeping for municipal operations must cover street and parking lot sweeping and maintenance BMPs (e.g., covering saw cutting, paving, striping), pesticide reduction and proper application, and vehicle fueling and maintenance. (p 7, paragraph 4, bullets.)

Response: Parking lot maintenance is included as part of the County's road and bridge maintenance program. The County will develop and implement a procedures manual that includes water quality protections for saw cutting, paving and striping (MO5B). The County will implement landscaping and lawn care storm water pollution prevention procedures including the proper use of pesticides, herbicides, and fertilizers and the use of less toxic alternative products (MO11). The County will implement procedures to prevent storm water runoff pollution from County vehicle and equipment washing (MO9). The County will implement procedures to prevent storm water pollution from County vehicle fuel dispensing and maintenance facilities (MO8).

20. The County should prepare storm water pollution prevention plans for its corporation yards. These plans should lay out all measures to be taken to prevent contact between rainfall or runoff and potentially polluting materials and wastes. (p 8, paragraph 1.)

Response: The County will develop and implement storm water pollution prevention plans for public works corporation yards (MO4A) and will use self-inspection checklists to conduct biannual inspections (MO4B).

21. There is no justification for taking four years to train County employees, and BMP #28 is silent on training new employees and retraining for refreshment and updating. (p 8, paragraph 3.)

Response: The County will train all municipal operations staff annually (MO1).

22. It is unacceptable to take five years to get to the point of cleaning 90 percent of storm drains. (p 8, paragraph 3.)

Response: The County will implement routine inspection and cleaning for storm drain catch basins and other components of the storm sewer system that require cleaning twice per year (MO3).

23. It should not take the County five years to inspect all County facilities and hazardous waste storage locations. (p 8, paragraph 3.)

Response: The County will inspect all county facilities for storm water pollution prevention practices annually (MO6).

24. It should not take the County five years to implement 50 percent of street and parking lot cleaning and properly washing County vehicles. (p 8, paragraph 3.)

Response: The County will conduct quarterly street sweeping that will include County parking areas (MO2) and will implement facility stormwater pollution prevention inspections that will include parking facilities (MO6).

25. The collection and analysis of water samples is a complex activity that will surely produce few usable results if not conceived and executed well. The County should assume the responsibility of getting a well designed, systematic monitoring program in place. (p 8, paragraph 4.)

Response: The General Municipal Permit does not require water quality monitoring. The County is required to implement BMPs that reduce pollutant discharges to the MEP. The County has committed to support Urban Watch, First Flush, and Snapshot Day citizen's monitoring programs annually (PP5). The monitoring events will involve community members conducting water quality sampling. Water Board staff will review compliance annually and determine the need for future monitoring.