



Linda S. Adams
Agency Secretary

California Regional Water Quality Control Board

Central Coast Region



Arnold Schwarzenegger
Governor

Internet Address: <http://www.waterboards.ca.gov/centralcoast>
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906
Phone (805) 549-3147 • FAX (805) 543-0397

October 8, 2008

BY ELECTRONIC MAIL

Chris Callihan, Sr. City Attorney
chrisc@ci.salinass.ca.us
City of Salinas
200 Lincoln Ave.
Salinas, CA 93901-2639

Steve Shimek
exec@montereycoastkeeper.org
Monterey Coastkeeper
3098 Stewart Court
Marina, CA 93933

Dear Mr. Callihan and Mr. Shimek;

NOTICE OF WATER BOARD HEARING REGARDING REQUIRED REVISION NO. 3, TABLE OF REQUIRED REVISIONS, SALINAS STORMWATER DEVELOPMENT STANDARDS

On September 22, 2008, I sent you the Central Coast Water Board's Resolution No. R3-2008-0068, with a Table of Required Revisions to the Salinas Stormwater Development Standards. In my September 22 letter and October 1 email to the City of Salinas, I explained that the Central Coast Water Board adopted a motion to remove certain sections of the proposed Required Revisions, but indicated that its intent was to remove any language in Development Standards Section 1.5.3 that may be redundant with other sections of the document, while preserving all the hydromodification control requirements staff proposed. The Central Coast Water Board wanted to be responsive to the City's request to eliminate redundancies - by unnecessarily added controls that restate requirements in a different way that may cause unneeded complexity and possible conflict or confusion (however, the Water Board did not direct us to eliminate hydromodification controls). The Water Board's motion included the directive to have the Executive Officer "make it so."

To address the Water Board's motion, I specifically removed the references to 18 inches of soil and 5 inches per hour application rate from Required Revision No. 3, to remove any potential redundancy with other sections of the document. I specifically retained the language requiring applicants for projects adding one acre or more of impervious surface to demonstrate post-project runoff rates and durations do not exceed pre-project runoff rates and duration, because that requirement is necessary to control hydromodification, and is not redundant with any other section of the document. I invited Salinas staff to point out any language in the Final Table of Required Revisions that is redundant with other sections of the document, so that Water Board staff may resolve those redundancies.

The City has not pointed out any such redundancies, and continues to dispute Required Revision No. 3. Monterey Coastkeeper also disputes the Table of Required Revisions. These disputes stem from various interpretations of the Central Coast Water Board's action. In order to settle this matter, I will ask the Central Coast Water Board to clarify its intent regarding Required Revision No. 3, at the Central Coast Water Board meeting in San Luis Obispo on **December 5, 2008**.

California Environmental Protection Agency



Recycled Paper

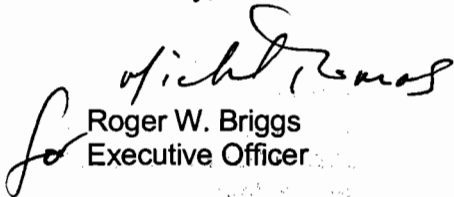
I will provide the Central Coast Water Board with the petition documents you recently submitted to State Water Resources Control Board (State Water Board). If you have any further written comments, evidence, or legal arguments you would like the Central Coast Water Board to consider prior to the meeting, please submit them to the letterhead address by **October 31, 2008**. Comments should be focused on Required Revision No. 3.

In the meantime, I expect the City to incorporate all other Required Revisions into the Stormwater Development Standards, per my September 22, 2008 letter.

It is my understanding that the City has requested that the State Water Board hold this matter in abeyance. The Central Coast Water Board may not unilaterally request the State Water Board to hold a petition in abeyance. Therefore, I request that the Monterey Coastkeeper also request that the State Water Board hold this matter in abeyance pending the December Board meeting.

If you have questions, please contact **Matt Thompson at (805) 549-3159**, or Lisa McCann at (805) 549-3132.

Sincerely,


Roger W. Briggs
Executive Officer

Cc (via email):

City of Salinas Staff and Consultants:

Carl Niizawa: carln@ci.salinas.ca.us
Dale Rosskamp: daler@ci.salinas.ca.us
Denise Estrada: denisee@ci.salinas.ca.us
Mike Ricker: mikeri@ci.salinas.ca.us
Chris Conway: ChrisConway@KennedyJenks.com

NPDES Stakeholder Committee:

Gary Shallcross: gary_shallcross@csumb.edu
Robin Lee: landgaze@hotmail.com
Traci Roberts: traci@montereycfb.com
Ken Tunstall: kenneth@tunstallengineering.com
Dan Matthies: DMatthies@WoodRodgers.com
Sue Shaffer: sshaffer@creekbridge.com
Bob Meyer: meyerb@co.monterey.ca.us

Others:

Michael Lozeau: Michael@lozeaudrury.com
Jeannette Bashaw: jbashaw@waterboards.ca.gov

S:\Shared\Stormwater\Stormwater Facilities\Monterey Co\Municipal\Salinas Phase I Permit\Development Standards\Board Approval, Sept 2008\Salinas SWDS revision 3 to be revisited December 2008-flm2.doc

