



DEAR STATE WATER BOARD:

COMMENT #1) The term "Areas of special biological significance" are not logical, water travels from one ASBS area into another, it should be the entire coastline ASBS protected. "Areas of Special Biological Significance (ASBS) - Those areas designated by the State Water Board as ocean areas requiring protection of species or biological communities to the extent **that alteration of natural water quality is undesirable.** All Areas of Special Biological Significance are also classified as a subset of State Water Quality Protection Areas."

- Do the ASBS areas change location according to the influence of the politics of the region? I assumed the San Lorenzo River where it meets the Monterey Bay is a significant ASBS area, but could have been changed in the last 10 years, has it?

COMMENT 2) Please take into consideration of a USGS report that stated that the sediment from the river due to a storm in March 2011 in Santa Cruz caused a massive quantity of pollution that in TWO DAYS, the amount of silt was the same as the entire years' average release.

COMMENT 3) NON POINT SOURCE DISCHARGES under item d) states " d. Only existing nonpoint source waste discharges are allowed. "Existing nonpoint source waste discharges" are discharges that were ongoing prior to January 1, 2005. **"New nonpoint source discharges" are defined as those that commenced on or after January 1, 2005. A change to an existing nonpoint source discharge, in terms of re-location or alteration, in order to comply with these special conditions, is allowed and does not constitute a new discharge."**

shortened meaning: under e. **Non-storm water discharges are prohibited except non-storm water discharges are allowed, provided that the discharges occur naturally: (vi) Non-anthropogenic flows from a naturally occurring stream via a culvert or storm drain, as long as there are no contributions of anthropogenic runoff.**

COMMENT A : THERE IS NO BASELINE WITHIN WHICH TO MEASURE THAT THERE WILL BE "NO CONTRIBUTIONS" OF ANTHROPOGENIC RUNOFF. FOR INSTANCE THE NON POINT SOURCE discharge under item d) will include all timber harvest plans (considered "nonpoint source" discharges that commencing after 1/1/2005 will bring new sediment pollution to the streams in Santa Cruz county which will enter into the Monterey Bay ocean floor and eventually drift and coat the entire Monterey Bay and many ASBS places, like Carmel Bay and above and below these areas.

COMMENT B: Is there a way to track the settling and suspended sediment to its original source?

COMMENT c: It is not described as to what "Change" is under new item d). What kind of "change" do you mean when change to existing nonpoint source discharge? It could not mean location because it is non-point source. Yet it goes on to state ... "In terms of RE-LOCATION" This is confusing and cause to avoid any enforcement as to sediment discharges and coating of the monterey bay floor and suspend in the water that WILL eventually reach ASBS areas such as carmel bay.

page 307 This cumulative impacts analysis evaluates existing statewide conditions and proposed implementation projects that could contribute to cumulative impacts along with the implementation of the proposed project. Where land-based discharges have been determined by local Regional Water Boards to be contributing to impairment (defined for purposes of this EIR as "targeted impaired areas"), extra attention is given to cumulative impacts where they correspond to the intersection of ASBS and 303(d)-listed impaired waters. Many of the 303[d] listed water bodies draining to ASBS are impaired for sediments and bacteria (i.e. Redwoods ASBS and James V. Fitzgerald ASBS). Projects considered in this analysis consist of past, present, and probable future projects that may contribute to discharge-related cumulative impacts, including local projects outside of the regulatory purview of the state. These projects include regulatory programs and actions (e.g., the total maximum daily load [TMDL] process) in addition to other types of related projects such as general plans, specific plans, resource management plans, and other planning projects."

COMMENT #4) ; above The board is ASSUMING there is a regulatory program in place (Central Water Board), and is ASSUMING there is some control of land use activities such as in general plans (SANTA CRUZ COUNTY GENERAL PLAN) and ASSUMING there are resource management plans, BUT THERE IS NONE. Not in Santa Cruz County, you must analyze the extra impacts the TIMBER HARVEST PLANS sediment releases from its mining of redwood burl root activities in streams and that NO TMDL process is complied or mentioned] Recently, the Central Board approved its 4th Waiver / Exemptions to Lumber industries non compliance activities, and that no Central Coast monitoring will occur, that the expiration to comply with discharges limitations wont occur for several more years. The sediment coming out of the San Lorenzo River will pollute the entire Pacific Ocean.

COMMENT #5) the Board is attempting to rely on vague monitoring requirements of another agency by relying on other regulatory agencies requirements in regulations, that are not described because in some instance they have not even been determined – in other words, the Board is relying on another agency to implement monitoring that does not even exist.

COMMENT #6) : The new language added show that requirements that are vague or unenforceable. For instance, when a requirement uses “should” instead of “shall,” or simply lacks mandatory language at all, the requirement is meaningless from an enforcement standpoint. Vague language is much the same in that it provides no meaningful guidance and therefore precludes enforceability.

COMMENT#7): "Development - Relevant to reference monitoring sites, means urban, industrial, agricultural, grazing, mining, and timber harvesting land uses." No monitoring will occur, no baseline is known, massive amounts of sediment are killing the ocean life.

COMMENT#8) : Request that the conflicts of interest between the State Water Board and industries which keep the agency from its duty. The Water Board is allowing pollution waivers that do not protect our ocean, ASBS areas, The marine life that live in the ASBS areas that have to travel to non-ASBS areas to procreate.

thank you for your consideration,

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