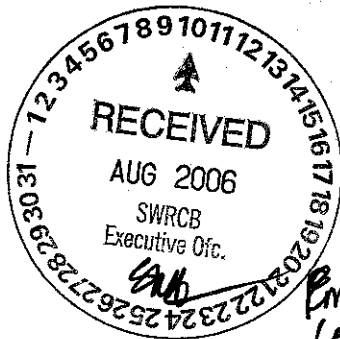




DEPARTMENT OF THE AIR FORCE
30TH SPACE WING (AFSPC)

8/1 and 8/15 Meetings
ASBS Special Protections
Deadline: 8/15/06 5pm

30 CES/CEV
1172 Iceland Ave Rm 181C
Vandenberg AFB CA 93437-5319



AUG 8 2006

*Emailed
copy also rec'd
8/8/06*

Ms. Song Her
Clerk to the Board
State Water Resources Control Board
PO Box 100
Sacramento CA 95812-0100

Dear Ms. Her

Comments from Vandenberg Air Force Base (AFB) to the Staff Proposal on Special Protections for Areas of Special Biological Significance (ASBS) Storm Water and Non-point Source Discharges are listed below:

a. *Page 2, General Section, 2nd Paragraph:* We strongly recommend that the first basic requirement in these Special Protections which call for the cessation of non-storm water runoff be removed. The exception provisions of the California Ocean Plan do not support the categorical prohibition of non-storm water runoff discharges into an ASBS. In fact, it allows for discharges of storm water and non-storm water runoff into the ASBS, as long as the discharges do not compromise the protection of ocean waters for beneficial use. Protection of beneficial uses is the key consideration, and not the type of discharge. Thus, unless a specific non-storm water runoff discharge at a specific facility is shown to compromise the protection of ocean waters for beneficial use, we recommend that it should not be prohibited.

In addition, certain types of non-storm water runoff (e.g. water from irrigation activities) can actually be beneficial to the protection of ocean waters. At our facility, which lies on a precipitous cliff, irrigation of the surrounding vegetation is necessary to stabilize the hilly slope, prevent soil erosion, and capture sediment which would otherwise discharge into the ASBS. At some facilities, the benefit of certain types of non-storm water runoff may outweigh the potential for that non-storm water runoff discharge to compromise the water quality of the ASBS receiving water.

Rather than a categorical prohibition of non-storm water runoff into the ASBS, we recommend instead that dischargers of non-storm water runoff be required to conduct appropriate sampling of their discharge into the ASBS. If sampling results of the discharge,

which can include non-storm water runoff, indicate degradation of ocean water quality of the ASBS receiving water, then dischargers shall examine causes for the degradation, focusing on the non-storm water runoff discharge. If this analysis indicates the non-storm water runoff discharge is responsible for the degradation, dischargers shall implement controls to prevent the non-storm water runoff from discharging into the ASBS. The discharger shall continue to review and implement controls as necessary to ensure the degradation of ocean water quality of the ASBS receiving water is prevented.

b. *Page 2, Applicability Section, 1st Paragraph:* We recommend revision of this paragraph for better clarity. As it is currently written, it is not clear whether a discharge has to be both a permitted storm water discharge and a nonpoint source discharge for these Special Protections to apply. We recommend replacement of the word "and" with the word "or" to indicate either a permitted stormwater discharge, or a nonpoint source discharge is subject to these Special Protections (if this is in fact the intent).

Additionally, are stormwater discharges that are not permitted subject to these Special Protections? This paragraph does not provide a clear definition of "nonpoint sources." However, as stated on page 4, the definition of "nonpoint sources" includes "storm water discharges not subject to regulations under a NPDES permit, and other land runoff, drainage, or seepage." We recommend inclusion of this definition in the Applicability Section because in many CWA-related regulations, storm water is considered a point source, not a nonpoint source discharge. By including a definition of "nonpoint source" in the Applicability Section, we believe it would prevent confusion on what discharges are subject to these Special Protections.

c. *Page 4, NPDES Permitted Storm Water Point Sources Section, 2nd Paragraph:* The paragraph as it is written in the working draft would require a discharger to route any new storm water runoff to existing storm water discharge outfalls. We are concerned that such language would force dischargers to construct complicated storm water conveyances that would result in greater soil disturbance simply in order to tie into existing outfalls. The language should be more flexible to allow the discharger to choose the option which will result in the least impact to the ASBS receiving water during construction. If constructing a new outfall disturbs a smaller area than routing into an existing outfall, then the Special Protections should allow for that. We recommend that the phrase "must be routed to existing storm water discharge outfalls" be removed from this sentence so that it will simply read: "Any proposed or new storm water runoff must not result in any new contribution of waste to an ASBS."

d. *Page 4, Nonpoint Sources Section, 2nd Paragraph:* The last sentence of the second paragraph contains a prohibition on any new nonpoint source pollutant discharge. We recommend that this prohibition be revised to allow a new nonpoint source pollutant discharge, if it meets the definition of an allowable nonpoint source waste discharge described in the third paragraph of the same section.

e. *Page 5, Non-Storm Water Runoff Section, 1st Paragraph:* We recommend that water from irrigation activities with appropriate controls be included in the first paragraph of this section. We believe that irrigation, at some facilities, is essential for slope stability and prevention of soil erosion. As long as appropriate controls on the discharge are implemented

(e.g., limited use of fertilizers and pesticides, regulation inspection, etc.) and conditions of these Special Protections are complied with, then the discharge should be allowed.

f. *Page 5, Discharges Via Seeps or Springs that Discharge into an ASBS Section:* We recommend that the last sentence of this paragraph be revised to clearly indicate that it is discharges of wastes that should be eliminated. Thus, the last sentence should be changed to read (underlined portion indicates suggested change): "These discharges of wastes must be eliminated within five years of the effective date of these Special Protections."

g. *Page 6, Monitoring Section, Paragraph 5a:* We recommend that the requirement to collect samples from a reference stream be waived for facilities where an appropriate reference stream is not present. For example, at our facility which is located in a peninsula and is geographically separated from the watershed, storm water discharges originate at the facility and flow directly into the ASBS. There is not an appropriate reference stream to sample which would represent natural background levels for runoff.

h. *Page 8, Monitoring Section, Paragraph 10:* We recommend revision of the last sentence to indicate that if, after one year of sampling, analytical results indicate the discharge into the ASBS does not impact the water quality of the ASBS, and if it complies with all conditions of these Special Protections, and that the processes at the facility that generate the discharge have not changed, then the monitoring requirements may be reduced in sampling frequency by the discharger, as approved by the appropriate Regional Water Board.

i. *Page 9, Time Schedule Order Section, 2nd Paragraph:* We recommend revision of the first requirement of this paragraph to read: "Within two years of the effective date of these Special Protections, all non-allowable non-storm water runoff must be eliminated." The term "non-authorized" non-storm water runoff was not used in earlier parts of the working draft, and thus, may be confusing to dischargers.

j. *Page 10, SWMP/SWPPP Section, 2nd Paragraph:* Please clarify if a separate SWPPP must be created under this Special Protections, or if an existing SWPPP can be used (with revisions if necessary) to meet the requirement in this section.

If you have any questions, please contact Garry Sanchez at (805) 606-7541.


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Chief, Environmental Flight