



Linda S. Adams
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California Regional Water Quality Control Board

Central Coast Region



Arnold Schwarzenegger
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November 14, 2008

Ms. Rachel Fatoohi
County of Santa Cruz
701 Ocean Street, Room 410
Santa Cruz, CA 95060

Mr. Steven Jesberg
City of Capitola
420 Capitola Avenue
Capitola, CA 95010

Dear Ms. Fatoohi and Mr. Jesberg:

WATER BOARD STAFF COMMENTS ON DRAFT STORMWATER MANAGEMENT PROGRAM OCTOBER 2008, COUNTY OF SANTA CRUZ AND CITY OF CAPITOLA, SANTA CRUZ COUNTY

On October 24, 2008, the Central Coast Regional Water Quality Control Board (Water Board) received the County of Santa Cruz (County) and City of Capitola (City) Draft Storm Water Management Program (SWMP). Water Board staff has reviewed the October 2008 Draft SWMP and we have identified several improvements that the County and City must make for us to recommend approval of the SWMP. Please see the attached Draft Table of Required Revisions. Please respond with a further revised SWMP, or comments describing further revisions to the SWMP, prior to the Water Board's final review and consideration of public comment. The following sequence of events describes an optimal process for final review of the SWMP.

Water Board staff plans to:

- 1) Post the attached draft Table of Required Revisions on or prior to November 17, 2008, on the same webpage where the SWMP will be posted for the 60-day public comment period. Water Board staff will announce the web posting, including web address, to all known interested persons by email.
- 2) At the close of the 60-day public comment period on approximately January 16, 2009, Water Board staff will review comments received on the SWMP from the public, including comments from the City describing their revisions to the SWMP.
- 3) Water Board staff will prepare a final Table of Required Revisions and a final recommendation on the adequacy of the SWMP. Staff will also prepare a response to comments received during the 60-day public comment period.
- 4) If Water Board staff recommends approval of the SWMP, the Water Board's Executive Officer may approve the SWMP and coverage under the General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (General Permit), contingent on the City making the required revisions to its SWMP by a date certain

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(generally within 60 days of the approval letter). The Executive Officer will post the approval letter with required revisions on the Water Board website.

- 5) Alternatively, if a member of the public or the City requests a Water Board hearing during the 60-day public comment period, Water Board staff will provide recommendations to the Water Board on the City's SWMP (with the required revisions) at the March 20, 2009 Water Board Meeting.

Developing Interim Hydromodification Control Criteria as Effective as Water Board Staff's Proposed Criteria

In this letter, we are also providing clarification regarding how interim hydromodification control criteria developed by the County and City will be reviewed by Water Board staff. At the recent Water Board public hearing for approval of the City of Lompoc's SWMP, Water Board staff was directed by the Water Board to ensure that any interim hydromodification control criteria developed by the City of Lompoc be as effective as the interim hydromodification control criteria we presented in our February 15, 2008 letter. Those criteria are as follows:

- For new and re-development projects, Effective Impervious Area shall be maintained at less than five percent (5%) of total project area.
- For new and redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface, the post-construction runoff hydrographs shall match within one percent (1%) the pre-construction runoff hydrographs, for a range of events with return periods from 1-year to 10-years.
- For projects whose disturbed project area exceeds two acres, preserve the pre-construction drainage density (miles of stream length per square mile of watershed) for all drainage areas serving a first order stream or larger, and ensure that post-project time of concentration is equal or greater than pre-project time of concentration.

Based on the Water Board's direction regarding the City of Lompoc's SWMP, Water Board staff has determined it appropriate to require similar language in other municipalities' SWMPs. Therefore, Water Board staff has included language in the attached draft Table of Required Revisions requiring your interim hydromodification criteria to be as effective as the criteria outlined above. Water Board staff expects that implementation of these criteria, together with other planning efforts that contribute to long-term watershed protection, will promote the following desired conditions of healthy watersheds:

- 1) Rainfall surface runoff at pre-development levels,
- 2) Watershed storage of runoff, through infiltration, recharge, baseflow, and interflow, at pre-development levels,
- 3) Watercourse geomorphic regimes within natural ranges (stream banks are stable within natural range; sediment supply and transport within natural ranges), and
- 4) Optimal riparian and aquatic habitats.

Interim hydromodification control criteria primarily focus on items 1 and 2 above. Therefore, Water Board staff will review interim hydromodification control criteria developed by local agencies to ensure that they:

- 1) Provide numeric thresholds that demonstrate optimization of infiltration in order to approximate natural infiltration levels (such as would be achieved by implementation of appropriate low-impact development practices), and
- 2) Achieve post-project runoff discharge rates and durations that do not exceed estimated pre-project levels, where increased discharge rates and durations will result in increased potential for erosion or other significant adverse impacts to beneficial uses.

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At the public hearing on the City of Lompoc SWMP, the Water Board also directed Water Board staff to provide an opportunity for comment on Water Board staff's eventual determination regarding the City of Lompoc's pending interim hydromodification control criteria, and a hearing, if requested, if any party is aggrieved by the determination. In other words, the criteria of the February 15, 2008 letter may only be used as a default set of criteria if the City of Lompoc does not, within one year, develop approvable interim hydromodification control criteria of their own that we agree are as effective as our stated interim criteria. If the City of Lompoc's proposed criteria are not as effective and we must further condition our approval (either to the exact numerics of our interim criteria or something in-between), AND, the City of Lompoc still finds those conditions unacceptable, the City of Lompoc and other parties will have an opportunity for a Water Board hearing. Water Board staff has determined that this process is beneficial and should be expanded to other municipalities. Therefore, we intend to follow this process during review and approval of the County's and City's SWMP. We have included language to this effect in the draft Table of Required Revisions and request that you include it in your SWMP.

If you have questions regarding this matter, please contact **Phil Hammer** at (805) 549-3882, or **Matt Thompson** at (805) 549-3159.

Sincerely,



Roger W. Briggs
Executive Officer

cc: Steve Shimek, Monterey Coastkeeper (by electronic mail)

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DRAFT TABLE of REQUIRED REVISIONS
County of Santa Cruz/City of Capitola Draft Storm Water Management Program (SWMP)

Acronyms/Abbreviations:

- BMP - Best Management Practice
- CEQA - California Environmental Quality Act
- City - City of Capitola
- County - County of Santa Cruz
- FIB - Fecal Indicator Bacteria
- LID - Low Impact Development
- MEP - Maximum Extent Practicable
- MS4 - Municipal Separate Storm Sewer System
- SWMP - Storm Water Management Plan
- TMDL - Total Maximum Daily Load
- Water Board - Central Coast Regional Water Quality Control Board

Item Number	SWMP Section	Subject	Issue	Required Revisions
1	Program Description and Management	Effectiveness Assessment	The SWMP states that the County and City will develop an effectiveness assessment strategy in Years 3 and 4, but does not commit the County and City to continuing assessment of Level 1 outcomes during that time. At a minimum, the County and City must continue to assess Level 1 outcomes while an effectiveness assessment strategy is developed.	Include a statement that the County and City will continue to assess Level 1 outcomes during Years 3 and 4. Also include a similar statement at the end of each chapter where "Program Effectiveness Assessment" is discussed.
2	Program Description and Management	Effectiveness Assessment	The SWMP includes a commitment by the County and City to use Level 1 outcomes, but does not identify the extent to which the County and City will use Level 1 outcomes for assessment.	Include a statement that the County and City will use Level 1 outcomes to assess the effectiveness of all applicable BMPs.
3	Program Description and	Effectiveness Assessment	The SWMP includes a commitment by the County and City to use the California Stormwater Quality	Include a statement that the effectiveness assessment strategy will include efforts to identify links between BMP/program

Item Number	SWMP Section	Subject	Issue	Required Revisions
	Management		<p>Association's <i>Municipal Stormwater Program Effectiveness Assessment Guidance</i> as the basis for its effectiveness assessment strategy, but does not discuss integrated assessments, which are a critical component of the guidance. Integrated assessment, or the establishment of links between BMP/program implementation and improvement in water quality and beneficial use conditions, is necessary in order to have confidence that activities being implemented are having a positive effect on water quality and beneficial uses.</p>	<p>implementation and improvement in water quality and beneficial use conditions.</p>
4	Total Maximum Daily Loads	Program Goals	<p>The SWMP states that a "goal of the SWMP is not to target BMPs to specific TMDLs or geographic areas, but to implement the BMPs throughout the management area in order to reduce controllable sources of sediment, FIB, and nutrients associated with the storm drain system to the maximum extent practicable." However, the SWMP must also acknowledge another goal, which is to achieve wasteload allocations in watersheds where TMDLs have been adopted. The County and City may need to implement targeted BMPs to achieve this goal.</p>	<p>Include in the SWMP the goal of achieving wasteload allocations in watersheds where TMDLs have been adopted.</p>
5	Total Maximum Daily Loads	Wasteload Allocation Attainment Plans	<p>The SWMP does not address the County's development and implementation of Wasteload Allocation</p>	<p>Include a BMP committing the County to develop, submit, and implement Wasteload Allocation Attainment Plans addressing the</p>

Item Number	SWMP Section	Subject	Issue	Required Revisions
			<p>Attainment Plans addressing the San Lorenzo River, Aptos/Valencia Creeks, Soquel Lagoon, and Watsonville Slough pathogens/fecal indicator bacteria TMDLs. Development of a Wasteload Allocation Attainment Plan for the San Lorenzo River sediment TMDL is also not addressed. Due to the significant challenge of meeting these TMDLs' wasteload allocations, the County must use a comprehensive planning approach for addressing the TMDLs, as represented by Wasteload Allocation Attainment Plans. Wasteload Allocation Attainment Plans may be waterbody or pollutant specific.</p> <p>Wasteload Allocation Attainment Plans for the San Lorenzo River nitrate, Pajaro River sediment, and Pajaro River nitrate TMDLs are not necessary at this time, since these TMDLs do not necessitate MS4 wasteload reductions.</p>	<p>San Lorenzo River, Aptos/Valencia Creeks, Soquel Lagoon, and Watsonville Slough pathogens/fecal indicator bacteria TMDLs, as well as the San Lorenzo River sediment TMDL. Identify the specific items that the Wasteload Allocation Attainment Plans will address, including:</p> <ul style="list-style-type: none"> • An implementation and assessment strategy; • Source identification and prioritization; • BMP identification, prioritization, implementation (including schedule), analysis, and assessment; • Monitoring program development and implementation (including schedule); • Reporting and evaluation of progress towards achieving wasteload allocations; • Coordination with stakeholders; and • Other pertinent factors.
6	Total Maximum Daily Loads	Wasteload Allocation Attainment Plans	<p>The SWMP does not address the City's development and implementation of a Wasteload Allocation Attainment Plan addressing the Soquel Lagoon pathogens/fecal indicator bacteria TMDL. Due to the significant challenge of meeting this TMDL's wasteload allocation, the City must use a comprehensive planning approach for addressing the TMDL, as represented by a Wasteload Allocation Attainment</p>	<p>Include a BMP committing the City to develop, submit, and implement a Wasteload Allocation Attainment Plan addressing the Soquel Lagoon pathogens/fecal indicator bacteria TMDL. Identify the specific items that the Wasteload Allocation Attainment Plan will address, including:</p> <ul style="list-style-type: none"> • An implementation and assessment strategy; • Source identification and prioritization;

Item Number	SWMP Section	Subject	Issue	Required Revisions
			Plan.	<ul style="list-style-type: none"> • BMP identification, prioritization, implementation (including schedule), analysis, and assessment; • Monitoring program development and implementation (including schedule); • Reporting and evaluation of progress towards achieving wasteload allocations; • Coordination with stakeholders; and • Other pertinent factors.
7	Public Education and Outreach	Dog Waste Program	<p>The City's pet waste education program consists of a one-time newsletter article to be conducted in Year 1. Since fecal indicator bacteria is a primary pollutant of concern within the City, the City must implement an ongoing pet waste education program.</p> <p>The effectiveness of a newsletter article is uncertain. While the SWMP commits the City to assessing the effectiveness of this BMP, it does not commit the City to implementing more effective BMPs if the newsletter article is found to be ineffective.</p>	<p>Expand the City's pet waste education program to Years 2-5, in addition to Year 1.</p> <p>Include a commitment by the City to implement more effective BMPs if the newsletter article is found to be ineffective.</p>
8	Public Education and Outreach	Deleted BMPs	<p>The Monterey Green Gardener Certification and Our Water Our World BMPs have been deleted from the SWMPs because they are contingent upon grant funding. Rather than remove the BMPs from the SWMP, the BMPs should be reinstated, with confirmation that the County will pursue</p>	<p>Reinstate the Monterey Green Gardener Certification and Our Water Our World BMPs, confirming that the County will pursue continual grant funding for the BMPs.</p>

Item Number	SWMP Section	Subject	Issue	Required Revisions
9	BMPs # 3-1-6, 3-1-7, 3-1-17, and 3-2-11	Measurable Goals	<p>continual grant funding for the BMPs.</p> <p>The measurable goals for these BMPs do not define the scope and magnitude of BMP implementation. This information is necessary to ensure BMP implementation is as effective as planned.</p>	<p>Include quantifiable goals the County and City will use to measure the scope and magnitude of BMP implementation, such as identifying the number of Stream Care Guides the County will annually distribute, the number of septic systems owners the County will educate, the amount of resources the County will annually contribute for outreach to farmers, and the number of businesses the City will contact.</p>
10	BMPs # 3-1-11 and 3-1-12	Measurable Goals	<p>The SWMP states that the County will identify targeted industries and disadvantaged communities and develop applicable outreach material, but does not expressly discuss conducting outreach to targeted industries and disadvantaged communities. The SWMP must include measurable goals for conducting outreach to targeted industries and disadvantaged communities.</p>	<p>Include in BMPs # 3-1-11 and 3-1-12 commitments by the County to conduct outreach to targeted industries and disadvantaged communities. Include quantifiable goals the County will use to measure the scope and magnitude of BMP implementation, such as identifying the percentage of identified targeted industries and disadvantaged communities for which the County will conduct outreach.</p>
11	BMP # 3-2-7	Fertilizers and Pesticides	<p>The City's fertilizer education program consists of a one-time newsletter article to be conducted in Year 3. Since nutrients are a primary pollutant of concern within the City, the City must implement an ongoing nutrient education program.</p> <p>The effectiveness of a newsletter article is uncertain. While the SWMP commits the City to assessing the effectiveness of this BMP, it does not commit the City</p>	<p>Expand the City's nutrient education program to Years 4-5, in addition to Year 1.</p> <p>Include a commitment by the City to implement more effective BMPs if the newsletter article is found to be ineffective.</p>

Item Number	SWMP Section	Subject	Issue	Required Revisions
			to implementing more effective BMPs if the newsletter article is found to be ineffective.	
12	Public Involvement and Participation	Clean Beaches Coalition	The City has deleted the Clean Beaches Coalition BMP from the SWMP without justification.	Reinstate this BMP and include a measurable goal for the BMP, such as identifying the number of marine debris cleanups that the City will coordinate.
13	BMP # 5-1-12	Measurable Goals	The SWMP does not identify the number of industrial waste inspectors and storm drain and sewer maintenance workers the County will train.	Identify in BMP # 5-1-12 the number of industrial waste inspectors and storm drain and sewer maintenance workers the County will train.
14	BMP # 5-2-6	Measurable Goals	BMP # 5-1-6 for the County has been updated to include measurable goals; however BMP # 5-2-6 for the City has not been updated to include measurable goals.	Update BMP # 5-2-6 to include measurable goals consistent with the updates that were made to BMP # 5-1-6.
15	BMP # 5-1-8	Sewer Lateral Upgrade Program	The text of the SWMP indicates that the County will assess water quality data to determine if sewer laterals are a significant source of pollution, and develop a sewer lateral upgrade program if necessary. However, this BMP is not itemized in the measurable goals and implementation schedule columns of Table 5-1.	Identify a measurable goal and implementation schedule for assessment of water quality data related to sewer laterals and development of a sewer lateral upgrade program if necessary.
16	BMP # 5-1-10	Measurable Goals	The measurable goal for this BMP does not define the scope and magnitude of BMP implementation. This information is necessary to ensure BMP implementation will be as effective as planned.	Include a quantifiable goal that the County will use to measure the scope and magnitude of BMP implementation, such as identifying the percentage of complaints to which the County will respond, the percentage of problem systems for which the County will conduct follow-up inspections, and percentage of systems that the County will evaluate in conjunction with

Item Number	SWMP Section	Subject	Issue	Required Revisions
				remodels.
17	BMPs # 5-1-11 and 5-2-9	Enforcement	The SWMP states that enforcement of the ordinances will only occur in Year 1. Enforcement of the ordinances must occur in all years.	Modify Tables 5-1 and 5-2 to exhibit that the County and City will enforce the ordinances in all years.
18	BMP # 5-1-9	Pet Waste Ordinance	The SWMP discusses a pet waste education program and placement of pet waste collection kiosks. However, no description, measurable goals, or implementation schedule are provided for these BMPs.	Describe the pet waste education program and the placement of pet waste collection kiosks. Identify measurable goals and implementation schedules for these BMPs.
19	BMP # 5-1-4	Implementation Schedule	The implementation schedules for this BMP do not align with the measurable goals.	Ensure the implementation schedules for this BMP align with the measurable goals. Ensure each measurable goal has a corresponding implementation schedule.
20	BMP # 6-2-5	Inspections	The SWMP does not commit the City to conducting construction site inspections or related enforcement during Year 1. The City must implement such activities in Year 1 in order to meet the MEP standard.	Include in BMP # 6-2-5 a commitment by the City to conduct construction site inspections and related enforcement during Year 1.
21	BMP # 6-2-5	Inspections	The SWMP discusses inspection of stormwater construction BMPs during the dry season, but does not identify the types of construction projects the City will inspect or the frequency of the inspections.	Identify the types of construction projects the City will inspect during the dry season and identify the frequency of the inspections.
22	BMP # 6-2-1	Riparian Buffers	The SWMP discusses riparian buffers for Soquel Creek, Noble Gulch, and Tannery Gulch. However, it is unclear whether there are any other riparian or wetland areas within the City. If so, the City must establish buffers for those areas as well.	Confirm that the City protects all riparian and wetland areas with at least a 30-foot buffer. If such buffers are not in place, commit to creating riparian and wetland buffers. Also confirm that during development of any riparian and wetland buffers that local conditions, such as habitat degradation,

Item Number	SWMP Section	Subject	Issue	Required Revisions
				water quality, and land management practices will be assessed, and more substantial buffer zones will be applied where necessary to protect riparian areas and wetlands.
23	Construction	Enforcement Protocol Development	For the City, the text of the SWMP states that the enforcement actions City staff will take for stormwater violations at construction sites will be determined during the first year of the program. However, Table 6-2 does not include this BMP.	To ensure this BMP is completed and tracked, add the BMP to Table 6-2.
24	Construction	TMDL	<p>The SWMP states that the San Lorenzo River watershed will be a priority for inspection, enforcement, and sediment control. However, no detail is provided regarding the steps the County will take to make the San Lorenzo River watershed a priority. Such information is needed to exhibit that the County is targeting primary pollutants of concern.</p> <p>The Water Board previously postponed development of a TMDL for sediment in the Aptos/Valencia Creeks watershed, with the expectation that the SWMP would be tailored to directly target sediment within this watershed. However, the SWMP does not specifically address control of sediment in the Aptos/Valencia Creeks watershed. As within the San Lorenzo River watershed, the County must also make the Aptos/Valencia Creeks</p>	Identify the steps the County will take to make the San Lorenzo River and Aptos/Valencia Creeks watersheds priorities for inspection, enforcement, and sediment control. This information may be included in a Wasteload Allocation Attainment Plan.

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			watershed a priority for inspection, enforcement, and sediment control. Doing so may avoid development of a sediment TMDL for this watershed.	
25	BMPs # 7-1-1, 7-1-2, 7-2-1, and 7-2-2	Long-Term Watershed Protection	While the SWMP discusses review and updating of County and City plans, policies, ordinances, and development requirements in terms of long-term watershed protection, it does not commit the County and City to developing quantifiable measures that indicate how the County's and City's watershed protection efforts achieve desired watershed conditions.	Include a commitment by the County and City to develop quantifiable measures that indicate how the County's and City's watershed protection efforts achieve desired watershed conditions.
26	BMP # 7-2-4	Plan Review	The SWMP does not describe the City's current plan review and permitting procedures.	Identify the City's currently used plan review and permitting procedures.
27	BMP # 7-1-4	Design Standards	Modifications to the revised SWMP have removed four tasks ("measurable goals") from this BMP that provide detail regarding the implementation of this BMP. These tasks provide clarification regarding implementation of design standards and must be reinstated.	Reinstate the four tasks ("measurable goals") that have been removed from the revised SWMP, including implementation schedules. Ensure that the tasks are quantifiable.
28	BMP # 7-1-4	Design Standards	The SWMP states that existing design criteria will be assessed in terms of long-term watershed protection. Existing design criteria must also be assessed in terms of the General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (General Permit) requirements and Attachment 4 to the General	Include a commitment to assess existing design criteria in terms of the General Permit requirements and Attachment 4 to the General Permit. Also commit to modifying design criteria that are not consistent with the permit and Attachment 4.

Item Number	SWMP Section	Subject	Issue	Required Revisions
			Permit.	
29	BMPs # 7-1-4 and 7-2-5	Design Standards	The SWMP is unclear whether the County and City are implementing their current design standards. Measurable goals for implementation of current design standards are not provided.	Include measurable goals for implementation of current design standards, such as application of the current design standards to 100% of new development and redevelopment projects.
30	BMP # 7-1-4	Design Standards	A measurable goal for implementation of modified and updated design standards is not provided.	Include a measurable goal for implementation of modified and updated design standards, such as application of the modified and updated design standards to 100% of new development and redevelopment projects.
31	BMPs # 7-2-5 and 7-2-10	Design Standards	The SWMP states that the City will apply design criteria to projects starting in Year 3. Interim hydromodification control criteria must be implemented and applied to new development and redevelopment projects starting one year after adoption of the SWMP.	Clarify that the City will implement and apply interim hydromodification control criteria to new development and redevelopment projects starting one year after adoption of the SWMP.
32	BMP # 7-2-5	Design Standards	The SWMP commits the City to assessing design standards in terms of long-term watershed protection, but does not commit to modifying design standards as needed to achieve long-term watershed protection.	Include a task committing the City to modifying design standards as needed to achieve long-term watershed protection.
33	BMP # 7-2-5	Design Standards	The implementation schedules for this BMP do not align with the measurable goals.	Ensure the implementation schedules for this BMP align with the measurable goals. Ensure each measurable goal has a corresponding implementation schedule.
34	BMP # 7-2-5	Design Standards	The SWMP states that treatment standards will be applied to 100% of applicable projects. However, it does not discuss application other design standards.	Modify the SWMP to commit the City to applying treatment and other design standards to 100% of applicable projects.

Item Number	SWMP Section	Subject	Issue	Required Revisions
35	BMP # 7-2-6	BMP Maintenance	<p>The SWMP states that in Year 2 the City will identify the types of mechanisms it <i>will consider</i> for ongoing maintenance and monitoring of stormwater BMPs. Rather than identifying mechanisms under consideration for implementation, the City must expressly identify the mechanisms it will implement.</p> <p>While the City commits to developing components of a program to ensure ongoing maintenance of stormwater BMPs, the City does not commit to implementing the program.</p>	<p>Rephrase the SWMP to state: "Identify the mechanisms the City will implement to ensure ongoing maintenance and monitoring of stormwater BMPs."</p> <p>Commit to implementing a program to ensure ongoing maintenance of stormwater BMPs. Include an implementation schedule.</p>
36	Existing Structural Stormwater Controls	Measurable Goals	<p>This BMP has been deleted from the County portion of the revised SWMP. This BMP must be reinstated.</p>	<p>Reinstate the "Existing Structural Stormwater Controls" BMP. Include a quantifiable goal the County will use to measure the scope and magnitude of BMP implementation, such as identifying the percentage of existing structural and non-structural controls that the County will maintain annually.</p>
37	BMP # 7-2-9	Training	<p>The SWMP discusses training municipal staff on proper inspection and monitoring of structural controls, but only discusses training of planners in the "measurable goals" section.</p>	<p>Provide a measurable goal for training of the municipal staff that will conduct inspections of structural controls. Ensure that the measurable goal is quantifiable and defines the scope and magnitude of BMP implementation.</p>
38	BMP # 7-2-9	Training	<p>The SWMP does not identify the topics of training, such as low impact development and hydromodification. More detail is needed regarding the topics of training to ensure municipal</p>	<p>Identify the topics the City will address during training of municipal staff on post-construction issues. Include low impact development and hydromodification as topics of training.</p>

Item Number	SWMP Section	Subject	Issue	Required Revisions
			staff will be adequately informed on new and complex subjects.	
39	BMPs # 7-1-5 and 7-2-10	Alternative Interim Hydromodification Criteria	The SWMP does not include the schedule the County and City will follow to develop the interim hydromodification control criteria. The SWMP also does not identify the goals and expected effectiveness of the alternative interim hydromodification control criteria.	<p>Revise the SWMP to include a schedule for developing interim hydromodification control criteria, including a period of no less than three (3) weeks to allow for Water Board staff's review of the proposed criteria. The revised SWMP shall state that any interim hydromodification control criteria (numeric and non-numeric) proposed by the County and City will be submitted within one year of enrollment and should take into account the ability to maximize infiltration of clean storm water, minimize runoff volume and rate, serve as a useful quantifiable measure of healthy watersheds, and be consistent with the intended goals of the Water Board including, but not limited to, healthier and more sustainable watersheds by 2025. The revised SWMP shall state the proposed criteria will be as effective as the following:</p> <ul style="list-style-type: none"> • For new and re-development projects, Effective Impervious Area¹ shall be maintained at less than five percent (5%) of total project area. • For new and redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface, the post-construction runoff

¹ Effective Impervious Area is that portion of the impervious area that drains directly to a receiving surface waterbody via a hardened storm drain conveyance without first draining to a pervious area. In other words, impervious surfaces tributary to pervious areas are not considered Effective Impervious Area.

Item Number	SWMP Section	Subject	Issue	Required Revisions
				<p>hydrographs shall match within one percent (1%) the pre-construction² runoff hydrographs, for a range of events with return periods from 1-year to 10-years.</p> <ul style="list-style-type: none"> • For projects whose disturbed project area exceeds two acres, preserve the pre-construction drainage density (miles of stream length per square mile of watershed) for all drainage areas serving a first order stream³ or larger, and ensure that post-project time of concentration is equal or greater than pre-project time of concentration. <p>The SWMP should also explain the following: The Water Board Executive Officer will notify the County and City and other interested persons of the acceptability of the County's and City's proposed interim hydromodification control criteria for new and re-development. The Water Board shall provide interested persons the opportunity for comment and a hearing, if requested, before the Water Board if any party is aggrieved by the Water Board staff's determination, prior to Water Board action being final.</p>
40	Post-	Hydromodification	The SWMP does not commit the County	Include a statement in the SWMP

² Pre-construction condition is defined as undeveloped soil type and vegetation.

³ A first order stream is defined as a stream with no tributaries.

Item Number	SWMP Section	Subject	Issue	Required Revisions
	Construction	Management Plan	and City to having long-term hydromodification control criteria in place and implemented by the end of Year 5.	committing the County and City to having long-term hydromodification control criteria in place and implemented by the end of Year 5.
41	Post-Construction	Hydromodification Management Plan	While the SWMP discusses development of interim hydromodification control criteria, it does not clearly describe the process the County and City will follow to develop long-term hydromodification criteria as part of a Hydromodification Management Plan.	<p>Include a BMP describing how and when the County and City will develop long-term hydromodification criteria and control measures as part of a Hydromodification Management Plan that will be based on a technical assessment of the impacts of development on the County's and City's watersheds. An adequate technical assessment will address the following:</p> <ul style="list-style-type: none"> • Hydrograph modification (flow volume, duration, and rate); • A wide range of flow events and continuous flow modeling; • Effects of imperviousness; • Evaluation of downstream affects (stream stability); • Buffer zone requirements; and • Water quality impacts. <p>The assessment should result in:</p> <ul style="list-style-type: none"> • Numeric criteria for runoff rate, duration, and volume control for development and redevelopment projects; • Numeric criteria for stream stability impacts for development and redevelopment projects; • Identification of areas within the County and City where these criteria must be met;

Item Number	SWMP Section	Subject	Issue	Required Revisions
				<ul style="list-style-type: none"> • Specific performance and monitoring criteria for installed hydromodification control infrastructure; • Riparian buffer zone requirements; and • Appropriate hydromodification control measures such as LID concepts, on-site hydrologic and water quality controls, and in-stream controls. <p>Identify the key steps in the process that the County and City will use to develop the Hydromodification Management Plan. Examples of steps that the County and City should consider include:</p> <ul style="list-style-type: none"> • Development of problem statement and objectives; • Review of literature and data availability; • Characterization of watershed and future development patterns; • Determination of assessment methodology; • Development of criteria and guidance; and • Development of an implementation strategy.
42	Post-Construction	Hydromodification Management Plan	Development and implementation of a Hydromodification Management Plan is not called out as a BMP in the BMP tables. Because of the importance of this activity, it should be expressly called out in the BMP tables to aid in scheduling and tracking of the task.	Identify development and implementation of a Hydromodification Management Plan as a specific BMP in the BMP tables.

Item Number	SWMP Section	Subject	Issue	Required Revisions
43	Post-Construction	Application of New Design Standards	The SWMP does not identify the stage in the project planning, design, and review process that the County and City will use as the cut-off point to determine which projects in the development review pipeline will be subject to new design requirements, such as alternative interim hydromodification control criteria.	Identify the stage in the project planning, design, and review process that the County and City will use as the cut-off point to determine which projects in the development review pipeline will be subject to new design requirements. For projects in the planning, design, and review process at the time the new design requirements take effect, the cut-off point must be chosen in order to apply the new design requirements to as many projects as is feasible.
44	Post-Construction	CEQA Checklist	For the City, the SWMP does not discuss review and revision of the CEQA initial study checklist to ensure runoff quality and quantity are considered.	Include review and revision (if necessary) of the CEQA initial study checklist to ensure runoff quality and quantity are considered by the list, or, through other means ensure that CEQA analysis is based on complete information on stormwater BMPs, including the types, sizes, and locations of structural BMPs.
45	Post-Construction	Low Impact Development	For the City, the SWMP briefly mentions LID, but does not provide information regarding the expected scale of LID implementation. The SWMP must be clear that requirements for new development will optimize implementation of LID techniques.	Specify that requirements for new development will optimize implementation of LID techniques.
46	Post-Construction	Tracking BMPs	For both the County and City, the SWMP does not include a tracking system for approved structural BMPs. Such a system is needed to prioritize and inspect the structural BMPs.	Include BMPs to develop and implement a tracking system for approved structural BMPs.
47	BMPs # 8-1-2 and 8-2-2	Measurable Goals	The measurable goals for these BMPs do not identify the scope or magnitude of BMP implementation. This	Include a quantifiable goal the County and City will use to measure the scope and magnitude of BMP implementation, such as

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			information is necessary to ensure BMP implementation will be as effective as planned.	identifying the percentage of facilities at which the County and City will implement the designated BMPs.
48	BMP # 8-1-3	BMP Implementation	While the SWMP states that it will report on the municipal BMPs implemented, it does not commit to any specific level of BMP implementation. Detail regarding the BMPs that will be implemented is needed to ensure that adequate BMPs are implemented.	Include in BMP 8-1-3 a commitment by the County to implement specific BMPs or types of BMPs as part of the Integrated Pest Management and Integrated Vegetation Management Program policies.
49	BMPs # 8-1-3, 8-1-4, 8-1-5, 8-2-3, and 8-2-4	Measurable Goals	The measurable goals for these BMPs do not identify the scope or magnitude of BMP implementation. This information is necessary to ensure BMP implementation will be as effective as planned.	Include quantifiable goals that the County and City will use to measure the scope and magnitude of BMP implementation, such as identifying the amount the County will reduce pesticide and herbicide use, the frequency that the County and City will sweep municipal parking lots, and the percentage of chlorinated/brominated water discharges to which the County and City will apply BMPs.