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COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403-2829
(707) 565-1900 FAX (707) 565-1103

April 7, 2009

John Short, Watershed Protection Division
North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

RE: Response to 2007 Storm Water Management Program's Audit Report

Dear Mr. Short:

Enclosed are the County of Sonoma's response to the Regional Water Quality Control Board's audit report received on October 30, 2008. County staff appreciated the opportunity to meet with PG Environmental, LLC, and to provide information on the County's Storm Water Program and the roles of County departments and divisions.

Overall, the County found the Audit to be constructive and recognize that some program elements could be improved upon. The County also believes that protecting water quality requires a collaborative effort among agencies in achieving this goal. If adverse situations are observed in the field we would appreciate being notified in order to resolve any issues.

Sincerely,

Reg Cullen
Senior Engineer

Cc: Sonoma County Transportation and Public Works
Sonoma County Regional Parks Department



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PRMD Comments on the Sonoma County MS4 Storm Water Program Inspection Report - November 2007

Private Construction Element

The private construction site inspections conducted by Tetra Tech on November 27-28, 2007 were unannounced, so the county had no prior knowledge of which sites would be inspected. Although the county provides a tremendous amount of education and guidance for construction operators we are not able to be on-site at all times. When a problem is noticed during an inspection a correction notice is usually issued and the site manager is told to correct the problem in a given time frame. As part of our progressive enforcement policy we have issued Correction Notices and Notice of Violations. During the audit inspection there were no workers on-site, and no rain was in the forecast.

There are several issues that should be mentioned here:

1. The construction site at 5491 Skylane Blvd. was almost across the street from the Regional Water Board (RWB) office and the project applicant was also working under a State construction permit. When I asked the RWB construction site inspector if they had performed an inspection on the site they said yes and they had not found any problems. This construction site was a good example of how situations can change daily and where the county and RWB should work together more closely on sites that are under a State permit to achieve compliance.
2. The construction site at 5540 Via Porta Azzurro was located on a hilltop where there is no storm sewer system. The three issues found at this site were: 1) a gas can sitting on the ground; 2) a bag of concrete left out in the open; 3) a box of muriatic acid sitting in a wheelbarrow with water in it. This site also had detention ponds installed to capture any storm runoff so the potential for a discharge into an adjacent field was minimal at best. In this situation, the contractor was called and remedied the problem. The county continues to educate site managers on good housekeeping practices and uses enforcement if necessary.
3. The auditors also inspected a commercial construction site on Old Redwood Hwy in Larkfield that had no issues and looked great but there was no mention of this in the report which makes this portion somewhat biased (only report the bad items).

The County Permit and Resource Management Department (PRMD) has been very successful in gaining compliance on construction sites and works closely with site managers to prevent any discharges. We should be recognized for this achievement and do not necessarily agree with the statement in the report that "the formal adoption of minimum BMP standards would provide more enforceability or alleviate the burden of providing compliance assistance in an ad-hoc manner." BMP standards are required on all grading projects so at this time we do not see the need to create something new. Although PRMD does not

agree with all of the determinations on private construction in this report we do anticipate updating our BMP standards in the near future to reflect new research or products.

As always, the County is committed to working with the Regional Water Board to improve our Storm Water Program and improve water quality in Sonoma County.

Janice Gilligan
Environmental Specialist

28 July 2008

To: Nathan Quarles and Janice Gilligan, PRMD

Subject: County response to SUSMP section of the storm water audit by PG Environmental, LLC

Finding 15: the SUSMP guidelines does not provide adequate guidance on the selection of specific BMPs which are effective for identified pollutants of concern (POC) for a project.

Response to Finding 15. Pg. 4-3 of the SUSMP guidelines (2005) provides an overview of local POC from the federal 303(d) list: low dissolved oxygen, nutrients, sediment temperature, and pathogens. Attachment 4-1 of the SUSMP guidelines evaluates storm water treatment control BMPs and Attachment 4-2 is an evaluation matrix designed for use in selecting BMPs for specific POCs.

An initial goal of the SUSMP guidelines was to reduce the POCs listed above via post-construction treatment BMPs described in the attachments and body of the guidelines. The Co-Permittees felt this guidance was adequate for the first edition of the SUSMP guidelines.

One of the thirteen Measurable Goals (MGs) in the county Storm Water Management Plan (SWMP, submitted to the state for the new permit term) is to update the SUSMP guidelines and address POC in that update. Keeping this audit finding in mind while completing MG 12 should adequately address the finding. The MG follows:

"12. Update SUSMP Guidelines

Reconvene SUSMP Technical Advisory Committee to jointly determine which of the BMPs that have been used on projects to date are effective, are focused on pollutants of concern, can be constructed per plan, and can be efficiently maintained. Add information to guide selection of treatment control BMPs based on site-specific pollutants. Set a minimum level of source control that will be required of every SUSMP project. Complete by the end of Year 3. "

Finding 16: The county lacks a strong communication feedback mechanism connecting the "PRMD plan review staff to the infrastructure, maintenance, and construction personnel tasked with implementation..." of BMPs.

Response to Finding 16. The finding goes on to say "As discussed on site..." (where I was not present) the county should develop a mechanism whereby field staff discuss constraints with plan review staff. The purposes of these discussions are for "self learning" and to "ensure that proposed changes remain consistent" with the SUSMP requirements. The mechanism can be a SUSMP agenda item at the Engineering Division meetings with discussions, self-learning, and quality control/consistency all part of the review.

Finding 17: The county must develop measures to ensure that SUSMP BMPs are "implemented, operated, and maintained."

Response to Finding 17. Three new MGs in the submitted SWMP should address this finding. The MGs are show below:

“7. Tracking SUSMP projects

The Co-Permittees use tracking databases to record SUSMP information for projects. PRMD added a SUSMP screen for projects within PermitsPlus: this screen has fields to record: disturbed area, impervious surface, number and types of source control BMPs, number and types of treatment control BMPs, total BMPs installed, waiver field, and mitigation APN. The Measurable Goal would be for both the County and the City to review and refine the tracking of SUSMP projects using their respective databases. Complete review and refine tracking of SUSMP projects by the end of Year 2.

10. Educating Property Owners and Homeowners regarding SUSMP BMPs on their property

The intent of educating property and homeowners on SUSMP BMPs is to inform them on the proper functioning of the SUSMP BMPs on their property and to provide guidance on how to maintain the SUSMP BMPs. One idea is to develop a generic template brochure onto which developers could then add their customized information via electronic cutting and pasting. An outreach strategy will be developed based on input from the development community and area realtors before the end of Year 3 and implemented in Year 4.

11. Long-term Maintenance Program

The intent of developing a long term maintenance program for SUSMP facilities is to have a systematic method for the City and County to initiate and track inspection and maintenance activities, as applicable. Complete analysis of SUSMP maintenance programs by end of Year 1.“

In general, the three audit comments from PG Environmental, LLC on SUSMP can likely be achieved to strengthen the SUSMP program at the county. If you have any questions, please call me at (707) 565-2502.

Thank you,

Reg Cullen
Engineer

**DTPW Comments on the Sonoma County MS4 Storm Water Program
Inspection Report - November 2007**

11. Sonoma County Road Stock Yard – 2175 Airport Blvd.

The Road Stock Materials Specialist was not involved with any part of the stockpiled material operation. The stockpiled material was placed there by experienced and knowledgeable staff from the Healdsburg Road Yard with the knowledge of the area coordinator. The day the observation was made the material was being removed as planned before the rainy season. Some material was left in place (graded and compacted) as planned to repair the roadside shoulder. This reworked material is intended to function as a BMP to minimize sediment delivery by stabilizing the shoulder area's surface. The material in the roadside ditch was removed; there were also waddles in the downstream drainage ditch in three locations.

12. Streets and Road Maintenance

TPW prioritizes it's sweeping within the NPDES Phase I & II boundary based on the goals set forth in Permit. The times swept per year are monitored routinely to ensure the frequency is met. The submitted annual reports confirm TPW's efforts in compliance with the street sweeping frequency goals in the permit. Approximately three years ago sweeper staff prepared maps of the streets in the permit boundary designating which were commercial/industrial and which were curb and gutter for sweeping frequency purposes. Those maps are consulted and updated by staff for compliance purposes. Mr. Esposti (Maintenance Superintendent), attempted to indicate this information to the auditors.

14. Illicit Discharge Detection and Elimination Program

Our guidelines state we will call County Fire Dispatch in the event of a Hazardous Material Spill. Law enforcement and County Fire Services are dispatched for identification, they are the Incident Commander, we will assist as directed by the IC for events within the Road ROW. In the event the spill is on private property, County Fire Services is the responsible party for authorizing a Hazmat Response. We can initially barricade and close a roadway to provide public safety.

“The Road Department will only be responsible for cleanup of **Level D** toxics, usually petroleum-based products such as Diesel fuel, hydraulic fluid, motor oil or cleaning solvent and such other materials that are determined safe by Fire Services. Gasoline spills will be handled on a case by case basis.”

“The Road Department may also be called upon to pick up transport materials from a **Level C** event. These materials will be packed, sealed and labeled by the IC or a member of his team prior to handing the material over to the Road Department for transport.”

If an illicit discharge is noted by our personnel, Road Maintenance is notified and will notify County Fire Dispatch or PRMD, depending on the type or amount of the discharge. Mr. Esposti and his staff as well as the road area foremen are aware of such contacts and procedures and Mr. Esposti attempted to indicate that knowledge to the auditor.

Regional Parks Comments on the MS4 Inspection Report

In response to the November 2007 Regional Water Board Phase I MS4 Audit

Finding 7:

Regional Parks Planning Division staff was alerted to the issues regarding inadequate wattle installation techniques. Wattles and other BMPs specified in the SWPPP for the Schopflin Field site were installed and maintained during construction by the project contractor. To reduce the risk of incorrectly installed BMP devices in the future, Planning staff will be more watchful of installation, maintenance, and removal specifications given to contractors. During construction monitoring, increased attention will be paid to assure the BMP installation techniques used by the contractor are adequate. Departmental training on construction BMP use, installation, and related NPDES issues has been, and will continue to be, provided.

While steps have been taken to improve BMP installation techniques and monitoring, the issue of wattle removal remains. The Board's audit comments specify for removal of wattles installed around Schopflin Field, stating, "the straw wattles were badly deteriorated and no longer necessary." Regional Parks seeks clarification concerning what specific circumstances warrant removal of wattles, as guidelines published by BMP manuals differ from the Board's request. The California Stormwater BMP Handbook, and California RWQCB Erosion and Sediment Control Field Manual, respectively, state that "fiber rolls are typically left in place," and "in most cases, fiber rolls do not require removal and can be abandoned in place." Due to the ambiguity surrounding the proper practice, Regional Parks asks that the Board provide guidance specifying situations when wattles are to be removed and when they are to be left and decompose. The identified wattles were still in place during the time of the November 2007 audit because the inspection took place during the rainy season, and the hydroseeding on the project was not yet fully established.

Not an audit finding affecting Regional Parks, but related to the proper installation techniques of BMPs, Regional Parks asks the Board to clarify the proper procedure for connecting wattles end to end. The California BMP Handbook states, "If more than one fiber roll is placed in a row, the rolls should be overlapped, not abutted," while the California RWQCB Erosion and Sediment Control Field Manual states that "when more than one fiber roll is placed in a row, the rolls should be abutted securely to one another to provide a tight joint, not overlapped." Acknowledging the inconsistency between these documents, and understanding that both installation tactics have been used successfully in construction projects, Regional Parks would find it helpful if the Board would provide guidance as to what site conditions warrant one installation tactic over the other, or which method is preferred overall.

Finding 9:

Regional Parks has developed a SWPPP for all of its maintenance facilities.