



Linda S. Adams
Agency Secretary

California Regional Water Quality Control Board

Central Coast Region



Arnold Schwarzenegger
Governor

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March 9, 2009

BY ELECTRONIC AND REGULAR MAIL

Geoff English
City of Atascadero
genglish@atascadero.org
6907 El Camino Real
Atascadero, CA 93422

Dear Mr. English:

WATER BOARD STAFF COMMENTS ON THE CITY OF ATASCADERO'S JANUARY 2009 DRAFT STORM WATER MANAGEMENT PROGRAM

On January 29, 2009, the Central Coast Regional Water Quality Control Board (Water Board) received the City of Atascadero's (City) revised Storm Water Management Program (SWMP). Water Board staff have reviewed the January 2009 draft SWMP and find the City has been responsive to our communications regarding water quality issues. The City has addressed nearly all the initial comments we sent on October 31 and December 30, 2008.

We have identified further improvements the City must make before we can recommend approval of the SWMP. The City must reply to the requests for changes in the attached Draft Table of Required Revisions. Please respond with a further revised SWMP prior to the Water Board's final review and consideration of public comment. We request the City describe how it addressed each of the revisions. We recommend you describe your changes by adding a column to the attached Draft Table of Required Revisions. In addition, please review the language and spelling throughout the document to make the text more accurate and readable (see examples: Item 18 in attached Draft Table of Revisions). We request you submit these changes by the end of the 60-day public-comment period on **March 30, 2009**.

These are the next steps for final review and approval of the SWMP:

Water Board staff will:

- 1) Post the attached Draft Table of Required Revisions on March 10, 2009, on the same webpage where the SWMP is posted for the 60-day public comment period.
- 2) At the close of the 60-day public comment period on March 30, 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.

California Environmental Protection Agency

- 3) Water Board staff will prepare a final Table of Required Revisions and a final recommendation on the adequacy of the SWMP by April 14, 2009.
- 4) If Water Board staff recommends approval of the SWMP by the Executive Officer, that approval will be conditioned on the City making the required revisions by a date certain.
- 5) If a member of the public or the City requests a Water Board hearing, Water Board staff will recommend the Water Board approve the City's SWMP (with the required revisions) at the May 8, 2009 Water Board Meeting in San Luis Obispo.

If you have questions, please contact **David Innis** at (805) 549-3150, or dbinnis@waterboards.ca.gov, or Matt Thompson at (805) 549-3159, or mthompson@waterboards.ca.gov.

Sincerely,



Roger W. Briggs
Executive Officer

cc: (by electronic mail)

Cheryl Lenhardt CherylL@wallacegroup.us
Gordon Hensley g.r.hensley@sbcglobal.net

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DRAFT TABLE of REQUIRED REVISIONS
City of Atascadero Draft Storm Water Management Program (SWMP)

Acronyms/Abbreviations:

- App. - Appendix
- BMP - Best Management Practice
- City - City of Atascadero
- E&SC - Erosion and Sedimentation Control
- General Permit - Phase II Small Municipal Separate Storm Sewer Systems General Permit (MS4)
- IDDE - Illicit Discharge Detection and Elimination
- LID - Low Impact Development

- MCM - Minimum Control Measure
- MG - Measurable Goal
- NA - Not Applicable
- POC - Pollutant of Concern
- SWPPP - Stormwater Pollution Prevention Plan
- SOP - Standard Operating Procedure Handbook
- Water Board - Central Coast Regional Water Quality Control Board
- Y - Year(s)

Item Number	SWMP Section	BMP ID#	Subject	Problem	Required Revisions
1	2.1	Table 1	Key Water Quality Criteria	Staff found several non-functioning internet hyperlinks listed in Table 1.	The City must check all hyperlinks and revise to provide functional links.
2	4.3	ID 3	Illicit discharges, specifically mobile washers and City's term Street Wash Water	<p>On page 54, the City lists "Street Wash Water" as one of the non-stormwater categories the City will regulate through an ordinance. The paragraph following the list, however, indicates the City does not regulate all of the categories. The General Permit states the MS4 must, "To the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the MS4 and implement appropriate enforcement procedures and actions;..." (page 9 section D.2.c.3)</p> <p>The IDDE ordinance (BMP ID 3A) is not sufficient. The City only addresses some of these non-stormwater illicit discharges through Public Education and Outreach.</p>	The City must clarify the language in Section 4.3 to meet the requirements of the General Permit for section D.2.c.3. Include mobile pressure washers and mobile commercial vehicle washers in the City's regulation and definition of street wash water.

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				Surrounding cities and San Luis Obispo County SWMPs include mobile pressure and commercial vehicle washers in their regulation of non-stormwater through ordinances. Atascadero must have similar authority to prevent discharges from mobile washers into the City's MS4.	
3	4.4	Table 11	Construction Site Runoff Control BMPs	In Table 11, the BMP CON 1B language is confusing.	The City must clarify CON 1B to indicate, "100% of City staff with discretionary review duties are trained to ensure each project includes appropriate BMPs needed and are in conformance with City-adopted BMP Reference Manuals and City Standards."
4	4.4	CON 1A	Construction – Discretionary Review Tools	<p>In Table 11a, the SWMP language is confusing for BMP CON 1A.</p> <p>A) The Purpose statement language is vague.</p> <p>B) The City uses inconsistent terms in the "BMP Details".</p> <p>C) The SWMP lacks detail in the "Implementation Details" description.</p> <p>D) The City uses the terms "code" and "reference manual" inconsistently in the "Assessment Measures" description.</p> <p>E) The City uses vague and non-specific language in "Goals Targeted" description.</p>	<p>A) The City must indicate what the Community Development Department will implement through BMP CON 1.</p> <p>B) The City uses terms "design guide", "reference manual", and "manual" several times. Please standardize terms or describe separately, if more than one document.</p> <p>C) The SWMP indicates in Year-1 the City will "Confirm E&SC triggers are appropriate." The City must explain how this will interact with the ordinance and Policy 8.1.8 (on page 27). We recommend the City post its informational brochures and manuals/guides on the City's stormwater webpage.</p> <p>D) The City must revise the section and make consistent reference to municipal codes, manuals, or design guides.</p> <p>E) The City must revise the "Goals Targeted" description to indicate, the BMP will</p>

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				<p>F) The "Notes" description at the bottom of Table 11a is not clear and needs more specific information.</p>	<p>"increase awareness <u>of</u> public employees, businesses, and the general public of <u>about</u> the pollutant potential of <u>in stormwater runoff from</u> construction sites." F) We recommend the City revise the "Notes" to indicate, "Revisions to Grading Ordinances, if required, will be distributed for public review prior to Adoption <u>by the City Council</u>. <u>City staff will hold at least one public meeting to solicit public input will be held</u>, if revisions are required.</p>
5	4.4	CON 2	<p>Table 11 – BMP CON 2 Educate stakeholders about potential pollutants associated with construction sites.</p>	<p>A) The BMP description in CON 2 does not match that detailed in Table 11b– CON2 Construction Site Inspections and Enforcement. B) The brochure for construction site runoff control is not scheduled for wider distribution through the City's web page. C) In Table 11, CON 2 BMPs do not coordinate with other BMPs in the SWMP.</p>	<p>A) Revise Table 11–CON 2 BMP descriptions to align more accurately with Table 11b. B) The City must post the construction site runoff control brochure on the City's stormwater web page as part of its BMP CON 2A commitment to post links for Contractor E&SC training opportunities. C) We recommend the City add a "Note" at the bottom of Table 11b indicating the City will coordinate construction site inspection information exchanges with SLO Green Build and other stakeholders as part of BMP PE 1C.</p>
6	4.4	CON 3	<p>Erosion and Sediment Control (E&SC) Plans</p>	<p>A) In Table 11c, the City uses vague and non-specific language in the "Purpose", "BMP Details," and "Goals Targeted" statements.</p>	<p>A) The City must modify the "Purpose" description to indicate the BMP will "eliminate <u>pollutants in</u> construction related discharges". The City must modify the "BMP Details" to correct word 'commending' to 'commencing'. The City must modify the "Goals Targeted" statement to indicate the BMP will: "Increase awareness <u>of</u> public</p>

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				<p>B) In Table 11c, the SWMP does not indicate BMPs and MGs associated with CON 3 coordinate with other BMPs and MGs.</p>	<p>employees, businesses, and the general public of the pollutant potential of <u>in stormwater runoff from</u> construction sites.” B) We recommend the City adds a “Note” at the bottom of Table 11c indicating the City will coordinate E&SC planning with 1) IDDE tracking (BMP ID 1A) and 2) the City staff will follow up construction site enforcement actions (lack of SWPPPs or E&SC Plans) as part of BMP CON 2.</p>
7	4.4	CON 4	Construction Site Complaint Mechanisms	The “Purpose” statement in Table 11d is vague.	Modify the “Purpose” description to indicate the BMP will “eliminate <u>pollutants in</u> construction related discharges.”
8	4.5	Post-Construction	Post-Construction stormwater management controls Program Goals	<p>A) On page 69, the City’s Program Goal III mentions only subdivisions and does not include all facilities. Atascadero is mostly subdivided, so this language would severely limit applicability of post-construction runoff control measures.</p> <p>B) The “Goals Targeted” entry in Table 12e does not adequately describe the title, task, or purpose for BMP PC 5.</p>	<p>A) The City must modify the Post-Construction stormwater management controls Program Goal to indicate, “III. Assure <u>a</u> mechanism is in place for long-term maintenance of post-construction facilities in new subdivisions <u>development and re-development</u>.” B) The City must modify the “Goals Targeted” in Table 12e to indicate the BMP seeks to increase stakeholder awareness of the important functions riparian and wetland habitats provide to maintain water quality in the City’s waterways and groundwater.</p>
9	4.5	PC 1D	Gain approval of interim/long term hydromodification control plan included as Appendix C.	A) As indicated in our July 10, 2008 letter to MS4s, Water Board staff will approve, or recommend approval by the Water Board, SWMPs that require MS4s to adopt and implement interim controls by the end of Year-1, and long-term criteria during the course of the 5-year permit cycle. The SWMP indicates the City will	A) The City must revise PC 1D to indicate the City will “gain approval for interim hydromodification criteria in Year-1, and earnestly develop long-term hydromodification criteria specific to watersheds within the City’s jurisdiction (e.g., Atascadero Creek, Graves Creek) during the 5-year permit cycle.”

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				<p>develop "interim/long term" hydromodification controls to apply to eligible projects deemed complete by the end of Year-2. The City makes no distinction between interim and long-term criteria.</p> <p>B) The City presents a Hydromodification Plan and a Technical Basis for that Plan in SWMP Appendices C and D, respectively. Water Board staff has not required the City to include the hydromodification control requirements in the SWMP, but rather to include in the SWMP a commitment to develop hydromodification control requirements. The Water Board has pursued an enrollment strategy and schedule for Phase II MS4s that does not include review of hydromodification controls prior to SWMP approval. The City's Hydromodification Plan is an earnest effort by the City and contains several good elements. However, because Water Board approval of a SWMP containing a Hydromodification Plan and supporting information could be construed as an approval of the Plan and concurrence with the supporting information, Water Board staff cannot recommend approval of the SWMP with Appendices C and D.</p>	<p>B) The City must remove Appendices C and D and all references to them from the SWMP. The City must submit its proposed Hydromodification Plan according to the schedule described above.</p>
10	4.5	PC 2B and PC 2C	Revise CEQA Initial Study Checklist (PC2B) and Develop a Post-Construction SWMP	A revised initial study checklist, and a Post Construction SWMP review checklist, will provide the City's project review staff valuable tools for evaluating a	The City must revise BMPs PC2B and PC2C to indicate the Initial Study Checklist and Post-Construction SWMP Checklist will be available for project review staff by the

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			Checklist (PC2C)	<p>project's proposed stormwater BMPs. Delaying implementation of these BMPs to Year 3 will unnecessarily limit the effectiveness of project review.</p> <p>Additionally, PC3C indicates Public Works would be including post-construction stormwater management responsibilities as a topic in a "pre-construction" meeting by end of Year-2—a year prior to the proposed schedule for PC2C to discuss it in a "pre-application meeting."</p>	end of Year-2.
11	4.5	PC 5	Construction projects in close proximity to riparian and wetland habitats.	<p>A) The "Assessment Measures" in Table 12e indicate the City will tabulate the "number of permits issued along creeks and account for the percentage of those permits that have improvements within the 30-ft of the creek bank." Language in BMP PC 5A is vague and does not address these "Assessment Measures".</p> <p>B.)The "Goals Targeted" entry listed in Table 12e does not adequately describe the title, task, or purpose for BMP PC 5.</p>	<p>A) The City must provide a specific measurable goal in Table 12 to track construction in close proximity to riparian and wetland habitats throughout the 5-year permit cycle.</p> <p>B) The City must modify the "Goals Targeted" entry in Table 12e to indicate the BMP seeks to increase stakeholder awareness of the important functions riparian and wetland habitats provide to maintain water quality in the City's waterways and groundwater.</p>
12	4.6	Table 15	Sweeping and Cleaning Activity and BMP GH 2	Street sweeping is only as good as the equipment used to collect the waste and identifying where and when to deploy the equipment. Although we can presume the equipment is effective, the City does not provide MGs for preventative maintenance or a MG to examine the data collected to assure street sweeping	The City must include MGs to assure the street sweeping equipment is properly maintained and that staff use the information to prioritize the sweeping frequency and areas requiring more attention (hot spots).

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				frequency is adequate, or is deployed to the appropriate areas.	
13	4.6	GH 1A and GH 2B	Municipal Employee Training Standard Operating Procedures Handbook	The City indicates Public Works will develop BMP Guidance Documents (GH1A) and a Standard Operating Procedures (SOP) Handbook (GH2B) in Year-1. The City does not provide a MG to review and update the guidance document and SOP Handbook based on new information or experience by City staff.	The City must revise the BMP Implementation Timetables for BMPs GH 1A and GH 2B to indicate the Public Works department will review and revise, as needed, the BMP Guidance Documents and SOP Handbooks periodically during the 5-year permit cycle.
14	4.6	GH 3	Municipal Facilities BMP Intent – Table 16	A) The BMP Intent associated with BMP GH 3 for Municipal Facilities incorrectly lists post-construction management issues. B) The City lists no BMP Implementation Timetable entry for Police Station Landscaping Inventory. C) City does not list public facilities at the Cemetery or Stadium Park.	A) The City must revise the BMP Intent to match the Municipal Facilities BMP Details listed in Table 16c. B) The City must indicate the year public works staff will inventory the Police Station Landscaping. C) The City must include all facilities for Public Works to inventory.
15	4.6	GH 3B	Develop Standard Handbook – Table 16	The Measurable Goals and Outcomes listed for the Municipal Facilities BMP incorrectly indicates details for post-construction BMPs (E&SC and LID).	The City must correct the entry to indicate the City will develop a Standard Operations Procedures Handbook for each facility inventory.
16	4.6	GH 1	Municipal Employee Training and Education – Table 16a	A) The City indicates City management will conduct unscheduled inspections of facilities and municipal operations as part of BMP GH 1D. The unscheduled inspections, however, do not have baseline information for comparisons or recommendations for improvements. B) The Municipal Employee training BMPs do not coordinate with other BMPs in the SWMP.	A) The City must indicate the City managers will develop baseline conditions before evaluating the facilities or operations. B) We recommend the City add a Note at the bottom of Table 16a indicating it will provide educational opportunities for City

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					staff to participate in Public Education and Public Participation BMPs.
17	4.6	GH 3	Municipal Facilities – Table 16c	<p>A) BMP Details listed in Table 16c do not indicate the type of facilities the City will verify for complete Storm Water Pollution Prevention Plans.</p> <p>B) Table 16c Implementation Details do not match the BMP Implementation Timetable in Table 16.</p> <p>C) The Assessment Measures detailed in Table 16c will confirm when the Facility Pollution Prevention Plan is developed, but provides no assurances it will be reviewed or amended based on new information, practices, or experience.</p>	<p>A) The City must indicate it will verify industrial facilities and City construction projects have complete SWPPPs.</p> <p>B) The City must indicate it will conduct inventories and develop SOPs in Years 1-5, as shown in Table 16. Additionally, the City should remove or revise the implementation action for Years 2-5 to “record quantities addressed/collected,” which does not appear pertinent to BMP GH 3.</p> <p>C) The City must indicate it will review, amend, and record changes to each Facility Pollution Control Manual based on new information and experience using the manual. Note: the City uses Facility Pollution Control Manual (FPCM) throughout the SWMP, but uses a different term here. The City must standardize the use of the FPCM term.</p>
18	NA	NA	Miscellaneous	We found many typographical, grammar, and punctuation errors throughout the SWMP. The most obvious are detailed here, with our suggestions noted in bolded, underlined type. The City needs to carefully review the document to improve its readability.	<p>The City must revise as follows.</p> <p>Page 5, footnote 6, misspelled Alteration.</p> <p>Pages 37-88, use the correct date in footer.</p> <p>Pages 69-78, consistently use re-development spelling; make global changes of “new and re-development” to “new development and re-development.”</p> <p>Page 79, Table 13 – use symbol (X) listed for “Vehicle and Equipment Maintenance and Repair” under “Organics” POC.</p> <p>Pages 80-81 – the City refers to a “permit” in several instances. Please correct the</p>

Item Number	SWMP Section	BMP ID#	Subject	Problem	Required Revisions
					entries to read "General Permit" in all instances referring to the Phase II MS4 General Permit. Pages 81-83 – Table 15 should have captions on all subsequent pages.