

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** 5/28/03  
**Department Name:** CAO  
**Department No.:** 012  
**Agenda Date:** 6/3/03  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Michael F. Brown  
County Administrator

**STAFF CONTACT:** Scott Ullery, Deputy County Administrator  
568-2243

**SUBJECT:** Comment Letter to the U.S. Environmental Protection Agency (EPA) Regarding Issuance of New National Pollutant Discharge Elimination System (NPDES) Permit for the Santa Ynez Band of Chumash Indians Wastewater Treatment Plant

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**Recommendation(s):**

That the Board of Supervisors:

Authorize the Chair to execute the attached letter for transmittal to the U.S. EPA, Region IX.

**Alignment with Board Strategic Plan:**

The Recommendation is aligned with the County's Strategic Goal #2: Community Health and Safety, A safe and healthy community in which to live, work, and visit.

**Executive Summary and Discussion:**

The Santa Ynez Band of Chumash Indians have applied for a new NPDES permit allowing the discharge of tertiary treated effluent from their wastewater treatment plant to Sanja de Cota Creek. The new tribe-owned plant will have a design capacity of 200,000 gallons per day to receive domestic wastewater from approximately 350 residents on the reservation, the casino complex, and miscellaneous administration buildings. The permit specifies that the tertiary effluent will meet the applicable water quality standards specified in the Water Quality Control Plan for the State of California, Region 3, Water Quality Control Board for the Santa Ynez River. The plant's outfall will either be discharged to Sanja de Cota Creek (a Santa Ynez River tributary) or used to irrigate land on the reservation. Sludge will be hauled to a licensed waste treatment facility.

On May 15, 2003, the U.S. EPA published a Notice of Proposed Action for the plant permit. The Notice provides for a 30-day comment period. County Counsel, Public Works, and Planning & Development staff have reviewed the permit. Their chief concern is the permit does not acknowledge that the Regional Water Quality Control Board will begin the process for establishing allowable Total Maximum Daily Loads (TMDL) regulations for the Santa Ynez River (classified as an “impaired water body”) later this year. Once that process is completed (April 2007), if the plant’s discharges by way of Sanja Cota Creek are found to contribute a disproportionate amount of pollutants to the River such that would interfere with establishing a fair pollution allocation for the River as a whole, then the County urges that this permit not preclude future requirements to meet more stringent discharge limitations. More specifically, staff recommends that the permit include numeric effluent limitations for plant discharges relevant to the River’s three impairment categories (nutrients, salinity/chlorides, and sedimentation/siltation).

**Mandates and Service Levels:**

None

**Fiscal and Facilities Impacts:**

None

**Special Instructions:**

Letter to be signed by the Board Chair, and transmitted to addressee by the Clerk of the Board

**Concurrence:**

County Counsel

Public Works Director

Planning & Development Director

June 3, 2003

U.S. EPA Region IX  
Attn: Gary Sheth  
75 Hawthorne Street  
San Francisco, CA 94105

RE: National Pollution Discharge Elimination System (NPDES) Permit for the  
Santa Ynez Band of Chumash Indians Wastewater Treatment Plant

Dear Mr. Sheth:

Thank you for the opportunity to comment on the subject permit. The County's chief concern is as follows:

The Permit does not acknowledge that the Central Coast Regional Water Quality Control Board (CCRWQCB) will begin the process for establishing allowable Total Maximum Daily Loads (TMDL) regulations for the Santa Ynez River (an impaired water body) later this year. Once that process is completed, if the plant's discharges by way of Sanja de Cota Creek are found to contribute a disproportionate amount of pollutants to the River such that would interfere with establishing a fair pollution allocation for the River as a whole, then the County urges that this permit not preclude future requirements to meet more stringent discharge limitations.

Given the three impairment 303(d) categories listed for the Santa Ynez River, (nutrients, salinity/TDS/chlorides and sedimentation/siltation), the County believes EPA should add specific numerical standards and monitoring requirements for: 1) other nutrients such as ammonia and phosphate, 2) total dissolved solids and 3) chlorides. These requirements will assist the CCRWQCB in its TMDL process for the Santa Ynez River that is scheduled to start in 2003 and are more in line with monitoring requirements imposed by CCRWQBC on other treatment plants in the watershed.

Your positive consideration of our comments will be appreciated.

Sincerely,

Naomi Schwartz, Chair  
Santa Barbara County Board of Supervisors