Jillian Knox

From: Thompson, Brendan@Waterboards <Brendan.Thompson@waterboards.ca.gov>
Sent: Friday, March 4, 2022 3:40 PM
To: ryandell@co.humboldt.ca.us
Cc: Moore, Heaven@Waterboards; OPR State Clearinghouse; Filak, Jordan@Waterboards
Subject: Regional Board Comments—SCH No. 2022020462—Jackson Major Subdivision

Dear Mr. Yandell,

Thank you for providing North Coast Regional Water Quality Control Board (Regional Water Board) staff the opportunity to comment on the County of Humboldt's Mitigated Negative Declaration (MND) for Jackson Major Subdivision Project, PLN-2021-17302 (Project), which involves subdivision of a 3.1-acre parcel into five parcels ranging in size from 6,610 square feet to 10,940 square feet. The MND notes that "A new water detention basin and vegetated drainage swale will also be constructed to mitigate stormwater runoff from the ultimate anticipated build-out of the subdivision with residential homes and paved driveways." We offer the following MND comments.

Regulatory Background

The County of Humboldt is a permittee under State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ, Waste Discharge Requirements for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4) (Stormwater Permit). The Stormwater Permit includes post-construction stormwater management program requirements to control pollutants from new and redeveloped projects within the County's MS4 boundary. Because it appears the Project would create and/or replace 5,000 square feet or more of impervious surface, the Project must implement Low Impact Development stormwater control measures to control the quality and volume of stormwater runoff from the Project site, as detailed in Stormwater Permit section E.12 (starting page 48).

Comment 1

As noted above, stormwater quality and volume must be controlled using Low Impact Development control measures. To meet the treatment criteria of the Stormwater Permit, vegetated, infiltration-based features must be used. The MND repeatedly refers to proposed construction of a detention basin for the Project. Detention basins are generally an older technology designed to slowly meter water out through a small orifice to meet stormwater volume control goals—they are not designed to meet stormwater treatment goals via infiltration and the orifices are very prone to clogging. Bioretention basins are the most common, practical and preferred modern LID stormwater control measures. If properly sized and constructed, bioretention basins or bioretention swales provide both stormwater treatment and volume control within one feature (refer to the Humboldt County LID Manual for sizing and design criteria). We highly recommend using an appropriately sized and designed bioretention basin to mitigate the project stormwater and meet the Stormwater permit requirements. If the Project does propose using a vegetated swale to treat stormwater before being discharged to a detention basin for volume control, we recommend a meeting between the County, Project design staff, and the Regional Board to evaluate the proposed design and whether it will meet the Stormwater Permit requirements.

Comment 2

MND Section IV, Biological Resources, notes the need to mitigate for removed pine trees and that there "may be opportunities for mitigation planting in the proposed stormwater detention feature area." Stormwater detention and/or retention features have unique hydrologic regimes and plant palettes and

are therefore not likely suitable for pine tree establishment. Depending upon proximity to the stormwater feature, hydrologic conditions may inhibit pine tree growth and survival. Additionally, stormwater control BMPs cannot also serve as natural resource mitigation areas. Presuming the intent is to place the shore pines adjacent and not within the stormwater features, the pines should be placed sufficient distance from the BMP to ensure they will not be affected by the stormwater feature hydrology and their roots will not damage or otherwise negatively effect the function of the BMP.

Thanks again for the opportunity to comment. Feel free to contact me if you wish to discuss.

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