



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

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April 3, 2009

Mr. Dale Bowyer
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, California 94612

Subject: Municipal Regional Permit (MRP) Tentative Order Comments

Dear Mr. Bowyer:

Zone 7 Water Agency (Zone 7) appreciates the opportunity to comment on the SF Bay Regional Water Quality Control Board's (Regional Board) Revised Tentative Order for the Municipal Regional Stormwater NPDES Permit (MRP). As a member of the Alameda Countywide Clean Water Program (ACCWP), which is, in turn, a member of the Bay Area Stormwater Management Agencies Association (BASMAA), Zone 7 has a vested interest in seeing that the MRP is a workable document that furthers the goal that the "quality of all the waters in the State shall be protected for use and enjoyment by the people of the State." In addition to the comments provided by the ACCWP and BASMAA, Zone 7 has reviewed the revised tentative order for the MRP permit and offers the following comments.

1. Provision C.10.iii requires non-population based permittees, which include flood control management agencies and sanitation districts, to install either trash booms or outfall devices in order to reduce trash. The number of trash capture devices is based upon the service area population and development density. Provision C.10.iv allows cost-sharing between municipalities and non-population based permittees to install these devices. However, in these cases, the provision requires the obligations of municipalities and non-population based permittees be combined.

Zone 7, a county flood protection agency in east Alameda County, has flood control facilities that receive stormwater discharges generated within both city limits and unincorporated areas. Provision C.10 requires municipalities identify hot-spots within its service area and install trash reduction devices. With that being said, our trash hot-spots will be what the municipalities deem as hot-spots. As such, combining obligations for these trash devices would require installing more trash capture devices than needed in designated hot-spots. Combining the obligations creates unnecessary redundancy and is cost-prohibitive. Furthermore, the Regional Board outfalls are typically owned by the local municipality. In addition, streams reaches are not necessarily owned by flood management agents but are owned by the local municipality. Hence installing outfall devices and trash booms (in some cases) may not be feasible for non-population based permittees.

Zone 7 recommends that non-population based permittees be required to coordinate with the local municipalities within its service area to evaluate hot-spots and alternative methods appropriate to address the municipalities obligations under this provision.

2. Provision C.15.b.i. conditionally exempts pumped groundwater when it is either not a source of pollutants to receiving waters or if appropriate control measures are employed to eliminate adverse impacts of receiving waters. The language contained throughout this provision refers to monitoring of pumped groundwater related to dewater activities. It is unclear whether discharges from municipal

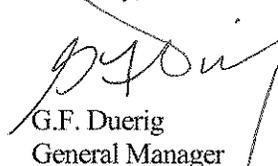
groundwater production wells would require monitoring consistent with this provision. At startup, municipal groundwater production wells may require discharge of *untreated* groundwater into a storm drain *prior* to pumping the water into the system for chemical addition and delivery. (emphasis added) At shutdown, wells may discharge into the storm drain but only after chemical addition has ceased. Because *well discharge is untreated groundwater and the groundwater quality is suitable for drinking water purposes*, sampling and monitoring these wells as if they were contaminated is unreasonable. (emphasis added).

Please clarify whether municipal groundwater production wells fall within the scope of this conditionally exempted category. If so, Zone 7 recommends adding a provision that exempts sampling and monitoring for total suspended solids, total petroleum hydrocarbons, volatile and semi-volatile organic compounds, and metals of discharges from municipal groundwater production wells.

3. Provision C.15.b.i(b) states that “. . . Permittees shall report new discharges of uncontaminated groundwater at flows 10,000 gallons/day or more to the Water Board and appropriate local agencies before being discharged to storm drains.” Municipal groundwater production wells typically are not operated continuously. Rather, these wells are used to meet demands during peak times or when a surface drinking water treatment facility is offline. As such, there will be times where wells are started up and shut down on a daily basis. Please clarify whether each startup or shutdown discharge is considered a “new” discharge and subject to the notification requirements.

Again, we appreciate the opportunity to comment on this document and hope to continue to work with Regional Board staff to develop a MRP that is beneficial to all. If you have any questions or comments, please feel free to contact Mary Lim at (925) 454-5036 at your earliest convenience.

Sincerely,



G.F. Duerig
General Manager

cc: Shin-Roei Lee, SF Bay Regional Water Quality Control Board
Jim Scanlin, Alameda Countywide Clean Water Program
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