

City of San Leandro

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April 1, 2009

Mr. Bruce Wolfe
Executive Officer
San Francisco Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Subject: City of San Leandro Comments on the 2009 Tentative Order for the Municipal Regional Stormwater NPDES

Dear Mr. Wolfe:

The City of San Leandro is submitting these comments with regard to the Tentative Order for the Municipal Regional Stormwater NPDES issued on February 11, 2009. The City of San Leandro requests that you include these comments in the record of this administrative proceeding.

The City of San Leandro is a co-permittee of the Alameda Countywide Cleanwater Program. The Alameda Countywide Cleanwater Program is a recognized leader in protecting water quality. The Program has received national recognition and awards from the United States Environmental Protection Agency. The policies, procedures and programs developed in Alameda County have been used as models for stormwater programs throughout the State of California.

In December 2007, Board staff issued the first Tentative Order of the Municipal Regional Stormwater NPDES permit (MRP). The City of San Leandro, along with numerous other co-permittees, submitted written comments expressing significant concerns with the Order. Since that time, Regional Board staff has made some positive changes to the permit, but many of the concerns expressed in past written comments were not addressed by Board staff.

The Tentative Order remains unnecessarily prescriptive in many areas and requires the co-permittees to implement costly and ineffective new mandates. As drafted, this Tentative Order has significant cost implications and operational impacts on the City of San Leandro and other co-permittees, while offering very limited benefits in terms of improving water quality when compared to existing permit requirements.



States, counties and cities across the nation are in the midst of a severe financial crisis. The City of San Leandro is facing an \$11.3 million deficit and is making deep cuts in its operating budget for next year, including the elimination of 58 full-time equivalent positions. The decision to issue a Municipal Regional Permit that includes significant new costs and requirements at a time when local agencies are already facing an unprecedented fiscal crisis is not prudent public policy.

The City of San Leandro encourages the Regional Board to consider administratively extending or reissuing the existing permit and permit conditions on an interim basis for up to three years. This interim period would allow Board staff to continue working with municipalities on developing a practical and effective MRP, as well as finding a permanent funding source for new and existing stormwater programs.

The City of San Leandro is committed to implementing an effective stormwater program that benefits water quality. I appreciate your attention to these comments and look forward to working with the Board on these issues. Please contact Michael Bakaldin, Public Works Services Director, at 510-577-3331 to further discuss these comments.

Sincerely,

A handwritten signature in cursive script that reads "Anthony B. Santos". The signature is written in dark ink and is positioned above the printed name and title.

Anthony B. Santos
Mayor