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Friday, April 3, 2009

California Regional Water Quality Control Board  
San Francisco Bay Region  
Attn: Bruce H. Wolfe, Executive Officer  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

**Re: City of Oakley's Comments on the San Francisco Bay Regional Water Quality Control Board's February 11, 2009 Revised Tentative Order for the Municipal Regional Permit**

Dear Mr. Wolfe:

The City of Oakley is a member of the Contra Costa Clean Water Program (Program). While Oakley is within the jurisdiction of the Central Valley Region, Region 5, we have been complying with San Francisco Bay Region, Region 2 Permit as member of the Program. We have participated in the ongoing MRP review and commented at the public hearing in writing and in person. We have reviewed the current Municipal Regional Stormwater NPDES Permit-Revised Tentative Order (February 11, 2009) and have provided comments to the Program.

The Program comment letter fully incorporates the concerns and comments of the City of Oakley. This letter endorses and incorporates by reference the Program's comments dated April 3, 2009. We also endorse and incorporate by reference the Bay Area Stormwater Management Agencies Association's (BASMAA's) comment letter submitted and dated March 31, 2009.

There has been much improvement in the Revised Tentative Order from the original Tentative Order. This is especially true of Section C.6, Construction Site Controls. Staff is to be commended in crafting a strong, appropriately detailed and clear set of construction site requirements that will strengthen, in a very practical way, enforcement of water quality protection in the construction environment.

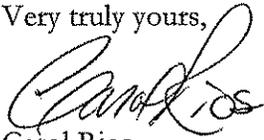
However, we are still deeply concerned about the burdens that will be imposed by Section C.8, Water Quality Monitoring, and C.15, Exempted and Conditionally Exempted Discharges. The Program comment letter fully details these concerns. Board Staff has argued that because street sweeping and inlet cleaning are no longer

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required under the Municipal Maintenance Section, there can be reductions and savings there to offset the additional monitoring costs. However, it is important to point out that what the Revised Tentative Order gives in Municipal Maintenance, it takes away in Illicit Discharge Detection and Elimination. So, in fact, any savings that were speculated about really don't exist.

We urge the Board Staff to further revise the Tentative Order as requested by BASMAA and the Program.

Very truly yours,



Carol Rios

Mayor

cc: City Council  
Bryan H. Montgomery, City Manager  
Jason Vogan, City Engineer  
Don Freitas, Contra Costa Clean Water Program