



# CITY OF SARATOGA

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Incorporated October 22, 1956

COUNCIL MEMBERS:

*Jill Hunter  
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Howard Miller  
Susie Nagpal  
Chuck Page*

John Muller, Chair  
Bruce Wolfe, Executive Officer  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, California 94612

March 18, 2009

Dear Chairman Muller and Mr. Wolfe:

I am writing to request that the February 11 version of the draft municipal regional stormwater permit be modified to better harmonize making reasonable further progress in protecting water quality with the fiscal challenges and declining revenues facing California's local governments in light of what most expect to be a prolonged economic downturn. Fortunately, such a modification appears to be fully consistent with the federal Clean Water Act as it provides the San Francisco Bay Regional Water Quality Control Board with considerable flexibility in identifying what comprises a "maximum extent practicable" level of effort for reducing pollutants in discharges of stormwater from municipal separate storm sewer systems.

In short, while the improved water quality goals of the municipal regional permit are laudable, the specific requirements proposed for improvements in existing municipal stormwater programs need to be better prioritized and the more fiscally burdensome of these requirements need to be scaled back or further phased out into future permit rounds. Specifically, we believe that the highest priority during the upcoming permit's five-year permit period should be to reduce the amounts of trash and litter that are reaching local waterways through stormwater conveyances. Since they are already "legacy" pollutants, the permit's proposed requirements for polychlorinated biphenols and mercury should be phased in more gradually and over a longer period of time than what is currently proposed. In addition, the many new requirements for water quality monitoring, special studies, and pilot projects need to be reduced so that local governments can focus their likely declining streams of available resources on continuing to implement their existing core stormwater management programs while making further concrete progress on trash.

Finally, to avoid a situation where our local governments may be left in non-compliance with their permit due to macroeconomic circumstances well beyond their control, we also request that the San Francisco Bay Regional Water Quality Control Board assist local governments in obtaining federal and state grants and forgivable loans that may be used to help local public agencies with their efforts to improve stormwater quality and to tie the most fiscally demanding new permit requirements to the receipt (rather than mere theoretical possibility) of such funds.

Thank you in advance for your consideration and for your further efforts in crafting a municipal regional permit that is appropriate for these challenging and unusually difficult times for all concerned.

Sincerely yours,

Chuck Page  
Mayor, City of Saratoga