

1537 Webster Street
Oakland, CA 94612

Ph: 510-891-6500

Fax: 510-893-2308

STOPWASTE.ORG

Reducing the Waste Stream for Alameda County

StopWaste.Org is the Alameda County Waste Management Authority & the Alameda County Source Reduction and Recycling Board operating as one public agency.

April 3, 2009

San Francisco Bay Water Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
MRP Tentative Order Comments
Attention: Dale Bowyer

Member Agencies

Alameda County

Alameda

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Union City

Castro Valley
Sanitary District

Oro Loma

Sanitary District

Submitted electronically to: mrp@waterboards.ca.gov

Hard copy by US Mail follows

Dale:

Dear Mr. Bowyer:

I'm writing to ask that two areas of overlap between stormwater regulation and the mission of our organization, solid waste management, be addressed more specifically and clearly in the Regional Permit. These areas are: 1) local ordinances, fees, and bans to source reduce litter, and 2) Bay-Friendly Landscaping as an integrated approach to solving water quality problems (e.g., pesticides in runoff, hydromodification, and the quantity of dry-weather runoff created by irrigation) while also reducing the quantity of plant debris produced, irrigation water consumed, and greenhouse gases emitted by landscapes.

We've attached to this letter some specific language we are asking be included in the permit. The language with respect to Bay-Friendly Landscaping is non-regulatory, but will help ensure that every reader of the permit over the next five years, and perhaps much longer, becomes aware of the Bay-Friendly Landscaping approach and its relevance to the outcomes the permit seeks to achieve. Many stormwater agencies have already joined the Bay-Friendly Landscaping Coalition (see www.bayfriendlycoalition.org), since they recognize its relevance and benefits. But the coalition and the public would benefit from specific mention in the permit at each of the places we suggest. This request seems appropriate given that the draft permit already includes references to other specific programs Regional Board staff feel are relevant and helpful (e.g., EcoWise).

With respect to source reduction of litter, we ask that Section C.10.b.i. of the draft permit be modified to allow the Executive Director to approve alternative methods of trash characterization if doing so would support evaluation of the types of government actions described in Section C.10.a.viii. (local ordinances, fees, and bans). Stopwaste.org has the power to implement and enforce such actions throughout Alameda County. But to evaluate and implement them we would need different information about trash in creeks than is specified in Appendix I, and in particular on the trash tally worksheet on pages I-12 and I-13.

Agency Programs

Bay-Friendly Gardening
& Landscaping

Green Building
in Alameda County

StopWaste Business
Partnership

irecycle@school

Environmentally
Preferable Purchasing

Food Scrap Recycling

Grants to Non-Profits

Household Hazardous
Waste Recycling

Multifamily Recycling

Recycling Information
Hotline

I understand that some of the specific changes requested may seem minor given the workload you face. However, I strongly believe that more explicitly guiding permittees toward Bay-Friendly Landscaping practices and trash source reduction options will help enormously, over time, with the most difficult impediment to improved stormwater quality -- cost.

Please feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary", written in black ink.

Gary Wolff, P.E., Ph.D.

Executive Director

Att: List of specific changes requested

Cc: Jim Scanlon, Program Manager, Alameda County Clean Water Program
Michelle LeBeau, Coordinator, Bay-Friendly Landscaping & Gardening Coalition

**Stopwaste.org's Requested Changes to the Revised Tentative Order R2-2009-XXXX,
NPDES Permit No. CAS612008, dated February 11, 2009**

Section C.10, Trash Reduction

1. On page 82, Section C.10.b.i., add to the end of the first sentence, "or other such trash assessment method as the Executive Director may approve in writing in order to facilitate development of trash source reduction measures including, but not limited to, those listed in Section C.10.a.viii."

Section C.3., New Development and Redevelopment

2. On Page 15, Section C.3., last sentence to initial paragraph, add highlighted text in last sentence of paragraph, "This goal is to be accomplished primarily through the implementation of low impact development (LID) techniques and Bay-Friendly Landscaping practices employing landscape-based design and treatment measures."
3. On page 16, Section C.3.a.i.(7), second bullet add to the last sentence highlighted text, "Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, and minimizes the use of pesticides and fertilizers and incorporates other appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping (For example, meet or exceed the minimum requirements on the Bay-Friendly Landscape Scorecard, www.BayFriendly.org)"
4. On page 16, Section C.3.a.i.(8), add to the end of the sentence the highlighted text, " Revise, as necessary, General Plans to integrate water quality and watershed protection with water supply, flood control, habitat protection, groundwater recharge, and other sustainable development principles and policies, for example, by referencing the Bay-Friendly Landscape Guidelines."
5. On page 16, Section C.3.a.i., add (9) "(9) Adopt a Bay-Friendly Landscape Ordinance that requires that civic landscapes are designed and constructed to meet or exceed the minimum requirements on the Bay-Friendly Landscape Scorecard in order to achieve a more sustainable, integrated approach to water quality and conservation, watershed protection, air quality and habitat protection in public landscapes."
6. On page 16, Section C.3.a.ii., second paragraph add a reference to (9) as shown in the highlighted text, "**Due Dates for Full Implementation** – Immediate for C.3.a.i.(1)-(7) and July 1, 2010 for C.3.a.i.(8) and (9) For Vallejo Permittees: July 1, 2010 for C.3.a.i.(1)-(8)"
7. On page 16, Section C.3.a.iii, add a reference to (9) as shown in highlighted text, "Reporting – Provide a brief summary of the method(s) of implementation of Provisions C.3.a.i.(1)-(9) in the 2011 Annual Report."
8. On page 20, Section C.3.b.iii(2) add text to the second to last sentence in the paragraph, "Permittees shall cumulatively complete 10 pilot green streets projects that incorporate LID techniques for site design and treatment in accordance with Provision C.3.c. and that provide

stormwater treatment sized in accordance with Provision C.3.d. It is also desirable that they meet or exceed the Bay-Friendly Landscape Scorecard minimum requirements (www.BayFriendly.org). Permittees shall construct the 10 pilot green streets projects in such a manner that they:...”

9. On page 20, Section C.3.b.iii.(2) add an additional section (f) as follows, “(f) Meet or exceed Bay-Friendly Landscape Scorecard minimum requirements (www.BayFriendly.Org)”
10. On page 21, Section C.3.b.v.(1) add an additional section (o) as follows “(o) Sustainable landscape measures incorporated into the project including, if relevant, the score from the Bay-Friendly Landscape Scorecard.”
11. On page 21, Section C.3.b.v.(2) add the highlighted sentence, “...For each completed project, Permittees shall report the capital costs, operation and maintenance costs, and legal and procedural arrangements in place to address operation and maintenance and its associated costs and the sustainable landscape measures incorporated into the project including, if relevant, the score from the Bay-Friendly Landscape Scorecard.”
12. On page 22, Section C.3.c.i.(1)(d), add to the sentence, “Landscaping that minimizes irrigation and runoff, promotes surface infiltration, and minimizes the use of pesticides and fertilizers and incorporates other appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping (For example, meet or exceed the minimum requirements on the Bay-Friendly Landscape Scorecard www.BayFriendly.org) ;

Section C.7 Public Information and Outreach

13. On page 56, Section C.3.c.i., add the highlighted text, “**Task Description** – Permittees shall individually or collectively encourage and support watershed stewardship collaborative efforts of community groups such as the Contra Costa Watershed Forum, the Santa Clara Basin Watershed Management Initiative, and “friends of creek” group and other organizations that benefit the health of the watershed such as the Bay-Friendly Landscaping and Gardening Coalition. If no such organizations...”

Section C.9. Pesticides Toxicity Control

14. On page 73, Section C.9 add the following highlighted text.in the last sentence of the paragraph. “Permittees may coordinate with BASMAA, the Urban Pesticide Pollution Prevention Project, the Urban Pesticide Committee, the Bay-Friendly Landscaping and Gardening Coalition and other agencies and organizations in carrying out these activities.
15. On page 73, Section C.9.ci. amend the sentence as shown , “Permittees shall ensure that all municipal employees who, within the scope of their duties, apply or use pesticides that threaten water quality are trained in IPM practices and the Permittee’s IPM policy and may also include other training opportunities such as Bay-Friendly Landscape Maintenance Training & Qualification Program and Eco-Wise.

16. On page 75, Section C.9.b. add the highlighted reference, “**Public Outreach** (may be done jointly with other Permittees, such as through CASQA or BASMAA and/or the Urban Pesticide Pollution Prevention Project, or the Bay-Friendly Landscaping & Gardening Coalition)

