



FAIRFIELD-SUISUN SEWER DISTRICT

1010 CHADBOURNE ROAD • FAIRFIELD, CALIFORNIA 94534 • (707) 429-8930 • WWW.FSSD.COM
KATHY HOPKINS, GENERAL MANAGER

July 11, 2007

UR-180.10.10/07

Mr. Bruce Wolfe
Executive Officer
CA Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay St., Ste. 1400
Oakland, CA 94612

RE: Municipal Regional Permit (MRP) – Regional Water Board Working Draft
(Revised version issued May 1, 2007)

Dear Mr. Wolfe:

The Fairfield-Suisun Sewer District (District) is in receipt of the Regional Water Quality Control Board (RWQCB or WB) staff's most recent version of the working draft Municipal Regional Permit (MRP) (version issued May 1, 2007). The Fairfield-Suisun Sewer District fully supports the RWQCB's efforts to protect our local creeks and the Suisun Marsh from the potentially detrimental impacts of stormwater runoff and in particular runoff from new development and redevelopment projects.

The District appreciates the efforts that you and your staff have made in understanding the concerns of the BASMAA member agencies as they pertain to this document. In particular I would like to commend Tom Mumley, Dale Bowyer, Shin Roei-Lee, and Jan O'Hara, for their efforts in developing the document and their willingness to share their thoughts and ideas.

Board staff had done much to clarify their objectives and expectations in the current draft. We continue, however, to have grave concerns that pragmatism may have been lost in the search for a permit that attempts to be everything to all people. This working draft is overly aggressive, impracticable and diverts resources to activities that will not improve watersheds and/or water quality.

In the interest of brevity and because we understand there are still some significant changes to be made to this draft, our comments do not include all of the District's concerns. The following comments are those we believe are critical to the overall success of our Program, to successful MRP implementation, and to the improvement of water quality in our jurisdictions and in the San Francisco Bay.

1. Municipal Maintenance Activities

C.2.a.iii(1) Recording and Reporting

There are many requirements that will come due in the first year. It is our understanding that WB staff will be attempting to stagger these and other due dates so that the requirements will not be overwhelming to the programs. We encourage these efforts.

C.2.c.i. Staff Training and Workshops

With all the training and reporting requirements included in this permit, C.2.c is overly burdensome. Please reduce the annual requirement to once in the permit period and upon new employee hire.

C.2.c.iii Please remove percent of attendance. This requirement is not necessary and is overly burdensome.

C.2.e.i. Storm Drain Inlets Signage

Please change *all* to 90% as this is reasonable and consistent with C.2.7.a.i.

C.2.ii(2) Stormwater Pump Station and Conveyance Systems

Inspect trash racks and oil absorbent booms during or within 24-hours of significant storm events. Remove debris in trash racks and replace oil absorbent booms, as needed. This requirement is not realistic and can be hazardous. Local agencies and contractors have remote capabilities and the knowledge of local pump stations. Some stations will/may need immediate attention while others may not need any attention for a week or more after a significant storm, at which time the debris can then be removed from a trash rack or wet well.

2. New and Redevelopment Performance Standards

C.3.b.ii. Beginning the fourth year after Permit adoption

This Provision requires that new development threshold be reduced after the fourth year of adoption of this permit to 5,000 square feet of impervious surface. Our Program began implementing the Phase 2 (10,000 square feet of impervious surface) requirements on October 16, 2006. The effectiveness of our current new development requirements has not yet been measured. The District would like to see more research into the long-term effectiveness of these devices before spreading these treatment methods throughout our jurisdictional boundaries. Therefore, we encourage WB staff to implement the 5,000 square foot threshold, if found to be appropriate, during the next permit cycle.

C.3.j.i and j.iii Collection of Impervious Surface Data for Small Projects

This Provision requires the collection and reporting of all new and redevelopment projects creating 1,000 square feet or more of impervious surfaces. This requirement is not reasonable as the benefit of a permit is not required for pavement work that occurs outside of our Program's cities right-of-way. Furthermore, this does not seem like a worthwhile expenditure of public employees already encumbered time. We do not see the environmental benefit of this paper-intensive activity.

3. Industrial/Commercial Inspection Program

C.4.a.ii Implementation Level

This Provision requires the revision of Ordinances within a year of adoption of this permit. It is our understanding that WB staff will be looking into staggering these and other due dates so that the requirements due within the first year after adoption of this permit will not be overwhelming to the programs. We encourage this evaluation.

C.4.b.i Industrial and Commercial Business Inspection Plan

This Provision requires the submittal of an Inspection Plan within 6 months after adoption of this permit. Please see previous comment.

C.4.c.i (1) (a) & (b) Enforcement Response Plans

It is more logical to swap the names of the Tier One and Tier Two violations, making the more egregious of the two Tiers, Tier One.

C.4.d.iii (4) Staff Training

Please reword to say: Annual Report shall include information on training topics covered, dates of training and number of Permittee attendees. Please eliminate C.4.d.iii (4) as this significantly increases the administration associated with putting on training sessions.

4. Illicit Discharge Detection and Elimination

C.5.b (3) Enforcement Authorities Must Differentiate Between Categories of Violations

Please see comment on C.4.c.i(1)(a) &(b) **Enforcement Response Plans** in regards to Tier One and Tier Two violation categories.

C.5.b(c) Enforcement Authorities Must Differentiate Between Categories of Violations

Please delete the reporting of Tier One or Tier Two spills that do not enter the storm drain. This reporting is not needed and the associated resource burden is not justified if there is no discharge to the storm drain system.

5. Public Information and Participation

Table 7.1 Public Outreach Events

Please reduce the number of events for the smaller Non-Population based agencies. Six events for an agency of our size are too many.

Please insert a Population Category between 100,000 and 250,000 with a number of events of 5 or less.

6. Water Quality Monitoring and Monitoring Projects

The monitoring and reporting requirements contained in the permit are extremely aggressive and unnecessarily burdensome for a program of our size. The District feels more environmentally significant advancements can be made if time and monies are not diverted toward unnecessary monitoring and reporting requirements. From our estimation the monitoring and reporting requirements will take roughly all of the Program's discretionary resources.

Please be aware that our Program is only approximately 8% the population of the larger programs and only 15% the size of the medium Programs, yet our Program is being required to perform roughly 30% of monitoring required of the larger programs and 50% of the medium size programs. Our Program is not being treated equitably in the Provisions of this section. Please consider the size of our Program relative to the requirements of this permit.

Please see page 74 of BASMAA's September 22, 2006 transmittal to the Water Board regarding proposed MRP language. This transmittal shows a significant increase in our Program's current level of monitoring without the expenditure of a disproportionate amount of resources.

7. Pollutants of Concern (Pesticides, Trash, Mercury, PCBs, Copper, PBDE, Legacy Pesticides and Selenium)

When sections C.9, C.10, C.11, C.11, C.12, C.13 and C.14 of the permit are combined with the previously mentioned sections and the permit is viewed as a whole, the Permit is overwhelming. One full time person for POCs will have to be added to each Program in order to comply with the requirements contained in these sections. Some prioritization of the Pollutants and the tasks in each of the POCs sections has to occur.

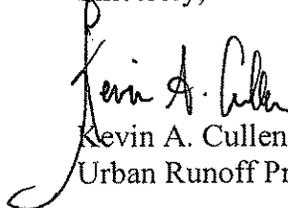
Table 10.1 Trash Assessment Sites

Please reduce the number of Assessment Sites for the smaller Non-Population based agencies.

Please insert a Population Category between 100,000 and 250,000 with a number of Assessment Sites of 8 or less.

The District appreciates this opportunity to comment on the Draft Municipal Regional Urban Runoff NPDES permit provisions. We look forward to favorable consideration of our comments.

Sincerely,



Kevin A. Cullen, P.E.
Urban Runoff Program Manager

Attachments

cc: George Hicks, City of Fairfield
Fernando Bravo, Suisun City
Jolanta Uchman, RWQCB
Tom Mumley, RWQCB
Dale Bowyer, RWQCB
Shin Roei-Lee, RWQCB
Jan O'Hara, RWQCB