



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

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PHONE (925) 454-5000

November 8, 2006

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

Subject: *Draft Municipal Regional Permit (MRP) Provisions*

Dear Mr. Wolfe:

Zone 7 Water Agency appreciates the opportunity to meet with Regional Board staff and participate in the development of the San Francisco Bay Regional Water Quality Control Board's (Regional Board) Draft Municipal Regional Urban Runoff NPDES Permit Provisions (MRP). As a member of the Alameda Countywide Clean Water Program which is, in turn, a member of the Bay Area Stormwater Management Agencies Association (BASMAA), Zone 7 has a vested interest in seeing that the MRP is a workable document that furthers the goal that the "quality of all the waters of the state shall be protected for use and enjoyment by the people of the state." In addition to the comments presented by BASMAA, Zone 7 has reviewed this working draft and offers the following comments and observations on this document:

- 1) The focus of this working draft seems to be on information collection as opposed to actions to improve water quality and beneficial uses. The proposed permit provisions require significantly more data gathering and reporting. Permittees already spend a significant amount of staff time and resources obtaining required information for the annual reports under the existing MS4 permits. Yet Regional Board staff is unable to review and provide feedback on the current extensive annual reports in a timely manner. Rather than simply requiring additional, expensive data collection and reporting which would further burden Regional Board staff, the purpose and usefulness of this costly effort should be considered before adding such requirements.
- 2) This draft proposes a very expensive monitoring and assessment program much of which has little connection to or nexus with improving water quality. Item "a.i" on page 57 suggests that permittees "may comply by contributing financially to its Stormwater Program" for the Program to conduct the monitoring. Most permittees are public agencies already working with limited financial resources and requiring a new, time-consuming and expensive monitoring program would create a financial burden. The Regional Board should consider utilizing existing monitoring data to develop strategies and/or plans that actively improve water quality.
- 3) On page 31- Zone 7 recommends that Provision C.3.i – Limitations on Use of Infiltration Devices in Stormwater Treatment Systems be consistent with any standards established by the Regional Board's Groundwater – Surface Water Interaction Committee. In addition,

infiltration devices for purposes of groundwater management (i.e., under an adopted Groundwater Management Plan) should be exempt from this requirement.

- 4) On page 109 - Provision C.14.2 – Conditionally Exempt Non-Stormwater Discharges, task “a” focuses on Pumped Groundwater, Foundation Drains, Water from Crawl Space Pumps, and Footing Drains with a strong emphasis on pumped groundwater. The proposed implementation level will require discharge water sampling of at least ten specific constituents in accordance with their respective approved EPA Methods. However, the Regional Board provides limitations for only two constituents, turbidity and pH. The Regional Board should consider both the cost and value of sampling for other non-regulated parameters. Again, adding data to reports only further stresses Regional Board staff, as well. The Regional Board should focus on ensuring adequate BMPs are implemented to minimize discharge of water in violation of the water quality standards.
- 5) On page 111, implementation items “i. – viii.” should indicate that these are applicable to planned discharges. Under Recording/Reporting item “i”, we recommend adding “planned” in front of discharges. This item requires that either the Regional Board or local POTW be contacted if there is a planned discharge greater in either the storm drain or sanitary sewer. Please clarify how far in advance you will require permittees to contact either of these agencies.

Again, we appreciate the opportunity to comment on this document and hope to continue to work with Regional Board staff to develop an MRP that is beneficial to all. In closing, the need for additional data should be considered in terms of a cost-benefit analysis by Regional Board staff. To require costly collection of additional data that may never be reviewed for parameters not currently regulated seems a poor use of limited resources. If you have any questions or comments, please feel free to contact me at (925) 454-5016 or Mary Lim at (925) 454-5036.

Sincerely,



G.F. Duerig  
Assistant General Manager

GFD:mdl

cc: Steve Dennis, Alameda County Water District  
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