



City of Anaheim
PUBLIC UTILITIES DEPARTMENT
Environmental Services

December 7, 2015

Adam Fischer
California Regional Water Quality Control Board
3737 Main Street #500
Riverside, CA 92501

Subject: Comments on Third Draft Orange County Municipal Separate Storm Sewer System (MS4) Permit, NPDES Permit No. CAS618030

Dear Mr. Fischer,

Thank you for the opportunity to comment on the subject draft permit. These comments are specifically directed to Attachment A as they relate to discharges from community water systems operated by a co-permittee. The City of Anaheim provides drinking water to its residents and business and would fall under control of the new permit requirements. We request that permit consider the staffing resources required to meet the requirements, particularly considering that discharges from water systems are not a high risk to water resources.

1. Attachment A was added in its entirety since Draft #2 of the MS4 was issued. However, it is not red-lined within the draft provided for public comment. Therefore, many agencies may not realize it is a completely new section of the permit that is available for public review for the first time. This attachment should be distributed to all co-permittees with explicit instructions that it is available for its initial public review.

It is recommended that the public review period for Attachment A be extended an additional 60 days to provide co-permittees ample opportunity to review and comment.

2. Section V.C requires that drinking water systems report the amount of discharged water that is directed to a beneficial use. While this information may be interesting, it is not needed for the protection of receiving waters. This requirement would compel water utilities staff to dedicate additional man-hours developing and documenting estimations of discharges that are directed to irrigation or any other beneficial use, when this time could be better served by ensuring compliance with other provisions of this order that are aimed at protecting receiving waters. In addition, this requirement exposes utilities to potential fines for issues related to the documentation of what amounts to a good deed, which may actually pose a disincentive for these actions. This is both counterintuitive and counterproductive.

It is recommended that this requirement be deleted or indicated as an option and not mandatory.

3. Section VI.C requires annual reports to be submitted to the SWRCB and Section VI.D requires quarterly reports to be submitted to the RWQCB. This is an excessive level of reporting for relatively benign discharges. Reports to the SWRCB should not be needed since this is a regional permit of a local activity. Although the data may be interesting to the SWRCB, it will require significant water utilities staff time to prepare - time that would be better served in implementing BMPs that can help protect water resources. Reports to the RWQCB should follow the requirements of the MS4, that is, they should be submitted annually on a fiscal year basis. Water system discharges have been reported this way for years and there is no rationale provided for a change in that policy.

It is recommended that the reporting be reduced to an annual report to the RWQCB, along with the annual co-permittee MS4 permit report.

4. Several sections of the Attachment refer to it as Attachment "B."

I appreciate your consideration of these comments. If you have any questions, please contact me at 714-765-4277, or email at dwilson@anaheim.net

Sincerely,



Richard Wilson
Environmental Services Manager