



Friends of Five Creeks

*Preserving and restoring watersheds of
North Berkeley, Albany, Kensington, south El Cerrito and Richmond
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Members of the San Francisco Bay Water Quality Control Board
c/o Dale Bowyer and Shin-Roei Lee
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Re: Municipal Regional Permit

Dear Mr. Bowyer and Ms. Lee,

As head of a volunteer creek-restoration group working in Northern Alameda County, I am writing to urge that you proceed with the draft being put together by the staff, aiming toward a permit that does the following:

- Brings control of urban runoff in the San Francisco Bay Region in line with requirements in Southern California and in the Northwest.
- Moves toward strengthening the weak initial requirements for new development/redevelopment passed by the Board six years ago. Eleven years is too long to wait for rules that will make a real difference.
- Strengthens monitoring and reporting requirements so that Board, staff, and public can tell whether measures are effective and laws are enforced.
- Includes steps that will actually reduce pollutants, including particularly trash.

I was a member of two Board-established groups working toward this draft over the past year and a half. One group, dealing with monitoring, proved to be a rewarding collaborative process. The other, dealing with hydromodification and new development/redevelopment, was an exercise in frustration as representative of BASMAA (the Bay Area Storm Water Management Agency Assn.) simply stonewalled, refusing to consider any substantive change.

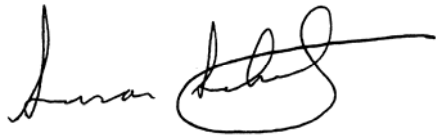
I believe that Board staff made honest mistakes regarding process, such as not including industry and developers, and, on legal advice, going back on their agreement to have private meetings regarding the work groups' products. I expect that the draft permit, when it is issued, will have flaws that call for revision. None of this justifies throwing the baby out with the bathwater.

As a resident of Berkeley, I am all too familiar with the tactic of using complaints about process to prevent action. I have reviewed the BASMAA draft permit; it is unenforceably vague and would immediately sink the Board in a losing legal morass.

Board staff should complete its draft permit and then hold workshops to respond to comments of agencies, industries, developers, and the public including environmental organizations. The Board itself should direct staff to prepare, and then approve, ad Municipal Regional Permit that moves significantly toward reducing pollution and, through new development/redevelopment and hydromodification requirements, prevents and reduces the degradation of watersheds that has characterized our urban area in the past.

Thank you for your attention to these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Schwartz", with a long horizontal flourish extending to the right.

Susan Schwartz, President
Friends of Five Creeks