



## City of Alameda • California

July 13, 2007

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

Re: Comments on Administrative Draft NPDES Municipal Regional Stormwater Permit  
Dated May 1, 2007

Dear Mr. Wolfe:

On May 1, 2007, the San Francisco Bay Regional Water Quality Control Board (RWQCB) released the Administrative Draft of the Municipal Regional Stormwater Permit (MRP) for interested parties to provide comments. The City of Alameda appreciates the opportunity to provide input on this important regulatory implementation document. Additionally, the City acknowledges and supports the comment letters submitted by the Bay Area Stormwater Management Agencies Association (BASMAA) and the Alameda Countywide Clean Water Program (ACCWP). The City has focused our review on the draft MRP Provisions and we provide the following comments for your consideration.

The Administrative Draft MRP proposes to expand existing requirements and include additional provisions that have unknown or no demonstrated water quality benefits. The City recognizes the importance of maintaining water quality programs and keeping pollutants out of the water system; however, prior to implementing additional and potentially costly requirements, the benefits associated with these requirements should be studied as part of a detailed nexus study that will document the benefits associated with the requirements and provides a cost/benefit analysis.

The RWQCB's Administrative Draft does not include or identify any State funding mechanisms to implement these new initiatives. Unless the RWQCB provides for a new revenue stream to fund these additional mandates, the City will not be able to implement these requirements within our already financially constrained resources. The City's ability to fund these new programs is further impacted by recent limitations on a local jurisdiction's ability to increase storm water fees. Requiring these additional standards without providing for a revenue source would place undue financial burden on the City.

The new requirements that are of chief concern to the City include:

1. The specification for monitoring of dry weather flows at pump stations without the identification of the funding mechanism for the additional staff time, heightened expertise and analytical expense. Due to the flat topography of the City of Alameda and the resultant high number of storm water pump stations, this requirement will place a comparatively larger burden on the City. In addition, the difficulty in establishing the timing of significant dry weather flows will place additional burden on staff resources.
2. The expansion of the applicability of the C3 Provisions to new development and redevelopment projects that create or replace 5000 square feet of impervious surface. Without the analytical support of the current 10,000 square foot threshold it seems unreasonable to assume a need to reduce the current threshold at this time.
3. The establishment and maintenance of a database for all new and redevelopment projects creating greater than or equal to 1,000 square feet of impervious surface. No funding mechanism is identified for the additional staff time and effort.
4. The specification that additional business facilities are subject to industrial and commercial discharge control inspections. We understand the State currently receives funding to conduct a select subset of these assessments and suggest that an analysis of the water quality benefits and the costs associated with these state activities be analyzed to determine if expanding this activity is justified. In addition, no funding mechanism is identified for the additional municipal staff time and effort required implementing this new requirement.
5. The specification that mobile business operations are subject to industrial and commercial discharge control inspections may place unneeded burden on staff resources. Mobile business operations may not generate water quality impacts at their home base. The City recommends that the RWQCB work at the regional business level to require certification programs similar to the BASMAA mobile surface cleaners program for the types of mobile businesses of concern.
6. The implementation of a multi-year trash assessment and trash removal program to meet Trash Action Level goals creates additional, unknown cost implications without a cost/benefit analysis to support the requirement.
7. An adoption of a municipal ordinance prohibiting the discharge of wastes from the cleaning and maintenance of copper architectural features. While the City may not have any objection to adopting such an ordinance, no funding mechanism is identified for the additional staff time to enforce this requirement. The City recommends that the RWQCB develop a model ordinance to address this issue.
8. An adoption of a municipal ordinance to prohibit discharges from pools, spas and fountains that use copper-based chemicals to the storm drain. While the City may not have any objection to adopting such an ordinance, no funding mechanism is identified for the additional staff time and effort to enforce this requirement. The City recommends that the RWQCB develop a model ordinance to address this issue.

9. Specification for the requirement to install sanitary sewer discharge connections for pools, spas and fountains. No funding mechanism is identified for the additional staff time and effort to enforce this requirement.
10. The specification to implement a program to facilitate the proper collection and disposal of mercury containing devices wastes from medium and large businesses and municipal operations. No funding mechanism is identified for the additional staff time, effort and outreach costs.

The City of Alameda requests the Regional Water Board staff make this letter an official part of the record for the MRP proceedings. Once again, thank you for the opportunity to provide comment on the current Administrative Draft of the MRP. If you have any questions or comments, please feel free to contact Maria Di Meglio, Environmental Services Manager, at (510) 749-5840.

Sincerely,



Matthew T. Naclerio  
Public Works Director

MTN:gc

cc: Environmental Services Manager