



Alameda Countywide
Clean Water Program

A Consortium of Local Agencies

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December 8, 2006

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County
Flood Control
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Conservation
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Zone 7 of
the Alameda
County
Flood Control
District

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

Dear Mr. Wolfe:

SUBJECT: ADDITIONAL COMMENTS ON DRAFT MUNICIPAL REGIONAL PERMIT
DATED 10-16-06 AND STAKEHOLDERS WORKSHOPS ON 11/15/06 AND
11/20/06

Thank you for taking the time to attend the two day-long Municipal Regional Permit stakeholder workshops and for offering to accept additional comments prior to the development of a revised administrative draft permit. The previously submitted comments from the Program and the permittees as well as the comments at the workshops should give you a sense of the level of concern the permittees have and the range of issues that still need to be addressed. Rather than providing an additional list of specific comments, we would like to take this opportunity to provide suggestions on approaches to moving the process forward in a manner that will allow the municipal regional permit to be a success for you, the Water Board, the permittees, the environmental representatives, and the public at large.

Alameda Countywide Clean Water Program representatives and Water Board staff have had a cooperative working relationship for more than 15 years. The basis of this relationship has been a mutual interest in protecting water quality and the willingness of the parties to understand and attempt to accommodate each other's needs. The primary concern of the permittees is that the MRP allow us to protect and improve stormwater quality with available resources in the most efficient manner possible. To accomplish this, we will need to look at the permit as a whole and optimize our efforts. The MRP process thus far has not allowed for this optimization effort.

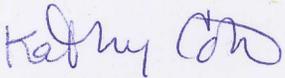
We understand that one of the primary concerns of your staff is that the permit is specific enough so that it is clear what the requirements are and that the reporting is sufficient to make it clear whether the requirements have been met. We support those objectives and would be very happy to sit down with you and your staff to discuss how that can be accomplished most efficiently. The approach in the draft MRP (i.e. to require extensive reporting) would be excessively burdensome for permittees and, we believe, is not the most efficient way to meet your objective.

Our understanding of the next steps in the process is that your staff will develop a revised administrative draft and then host another one or two day workshop for stakeholders. We sincerely hope that the written and oral comments of the permittees on the previous draft will be taken to heart and that the next draft demonstrates that staff listened to and understood our concerns. Two specific changes that would encourage us that our participation is valuable and that your staff is not merely going through the motions of a public process are changing the treatment threshold back to 10,000 square feet and the removal of the impervious surface data collection requirement. Once those issues are out of the way we can get to the work of coordinating and optimizing the requirements across the components and developing reporting requirements that meet the needs of

your staff without being excessively burdensome on permittee staff.

Once again, we sincerely hope that this process will result in a success for all concerned. We are concerned that if your staff continues on the previous course we will wind up with a permit that results in an increase in administrative burden without a commensurate increase in water quality benefits. We look forward to continuing to work with you and your staff to develop a municipal regional permit of which we all can be proud.

Sincerely,



Kathy Cote
Management Committee Chair

Copy: Shin-Roei Lee, SFBRWQCB
Dale Bowyer, SFBRWQCB
Janet O'Hara, SFBRWQCB