



City of Alameda • California

November 8, 2006

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

Re: Preliminary Comments on Staff Draft Municipal Regional NPDES Permit Dated October 16, 2006

Dear Mr. Wolfe:

On October 16, 2006, the San Francisco Bay Regional Water Quality Control Board (RWQCB) invited interested parties to respond to the most current working draft of the Municipal Regional Permit (MRP). 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). Due to the brief review time, the City has focused our review on the draft MRP Performance Standards and we provide the following comments for your consideration.

The draft MRP proposes to expand existing requirements and include additional performance standards 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 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 replacement of 50% of all existing street sweepers with new street sweeping equipment within five years of the adoption of the Order. While the City has purchased

- new equipment within the last few years, the requirement to purchase new equipment within five years would result in significant expenses that the City cannot currently fund.
2. The implementation of trash removal programs in waterways at least twice a year without a cost/benefit analysis to support the requirement.
 3. The diversion of dry weather and first flush discharges from pump stations to the sanitary sewer system may require the construction of additional infrastructure with unknown costs and other unknown potential environmental impacts that should be analyzed.
 4. 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.
 5. 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.
 6. The specification that all business facilities subject to industrial and commercial discharge control inspections shall be inspected at least once every three years. 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 has been identified for the additional municipal staff time and effort required to implement this new requirement.

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 most current working 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