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December 8, 2006

Dale Bowyer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear Mr. Bowyer:

At the last public meeting on November 20, 2006, you solicited comments regarding the draft Municipal Regional Permit. Overall, I would like to see more cohesiveness in the permit. It appears that the different sections were written by different staff without overall coordination. What is the most important part of the permit? What is the least? This is not yet clear. If everything becomes a priority, nothing is a priority. I want to emphasize that the City of Concord has a finite set of resources. Our stormwater revenues are capped. The only way to raise them would be with a Proposition 218 ballot (that residents indicate they would not support). It is very important that this permit lay out the relative priority of each of the hundreds of requirements. I had six other general comments:

1. The draft permit is written in a number of different formats and styles. It is not possible to determine the scope of all the proposed requirements.
2. The draft permit is too detailed. It specifies, for instance, the type of street sweeper to buy, the inspection of kennels and drapery cleaners, the frequency of inspection of construction sites, the number of press releases needed, city interdepartmental relations, --- too much minutia to be spelled out in an NPDES permit. If the permit tells us what needs to be done, we can determine the best way to do it with our local expertise and resources.
3. The draft permit requires a huge increase in water assessment and monitoring without any discussion of how it is supposed to improve water quality. This will be the biggest increase in expense so we need to be sure that the money is spent on something that will make a difference.
4. The draft permit proposes lowering the threshold for projects that must incorporate post-construction water treatment from 10,000 square feet to 5,000 square feet. There is not yet enough evidence to support either the 10,000 square foot threshold or the 5,000 square foot threshold. Would lowering the threshold result in water quality benefits

enough to justify the expense? Discussion from permittees at the public hearing indicated otherwise.

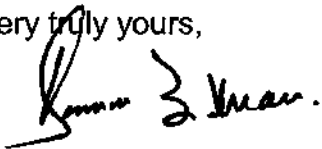
5. The draft permit includes requirements not associated with municipal stormwater discharge such as control of dischargers that do not pass through any municipal storm drain system.
6. The amount of reporting is significantly increased from what is currently required – quarterly audits of street sweeping, annual report on street repair staff training, reporting on street flushing, reporting of trash cleanup and anti-littering enforcement, an electronic database of construction site inspections, and a lot more. All these extra reporting requirements impose a significant administrative burden and divert limited resources from programs that could improve water quality.

I would urge you to reconsider the BASMAA draft permit language. We spent several weeks rewriting the entire permit and hammering out our differences. It is not an insignificant accomplishment to get 76 cities to agree to something as complicated as an NPDES permit.

Again, the important thing is to make as much improvement in water quality as possible with the resources we have available. Whatever we do to reduce reporting, recordkeeping, inspecting, and monitoring will free up people to do things that have a real impact like creek repair, drainage systems maintenance, public education, and street sweeping.

Thank you for this opportunity to comment on the proposed permit. I look forward to working with you this spring with the Municipal Regional Permit Administrative Draft. Please don't hesitate to contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Qamar Khan". The signature is fluid and cursive, with a large initial "Q" and "K".

Qamar Khan
Director of Public Works