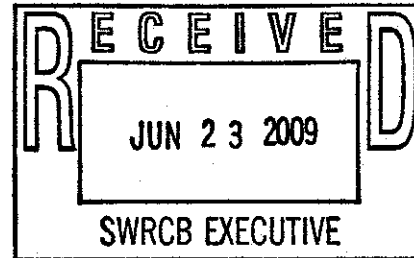




Public Works
Engineering
311 Vernon Street
Roseville, California 95678-2649

Public Comment
Dft. Construction Gen. Permit
Deadline: 6/24/09 by 5:00 p.m.

June 23, 2009



Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Electronically Submitted, commentletters@waterboards.ca.gov

Subject: Comment Letter – April 2009 Draft Construction General Permit - City of
Roseville Comments

Dear Jeanine Townsend:

Thank you for the opportunity to provide comment in response to the above subject document (Permit). The City of Roseville has multiple concerns with the Permit requirements and the anticipated impact on Capital Improvement Project programs, economic impact associated with present and future projects, and in general, Permit enforcement concerns. City Stormwater staff participated in the California Stormwater Quality Association (CASQA) construction sub-committee to develop specific comments which will be forwarded under separate cover. The City is also providing additional comments from our municipal perspective herein. We request the State Water Resources Control Board's (SWQCB) consideration in addressing these issues prior to formally adopting the Permit.

Background

The City of Roseville's MS4 Stormwater Permit has been in affect for approximately five years and is a fully functional and effective program. Stormwater runoff from construction sites within City limits have been minimized during daily construction operations and severe storm events due to a combination of active and diligent stormwater inspection enforcement, contractor education, and support from our local Regional Water Quality Control Board staff despite periods of heavy development and severe weather. Our municipal position, and five year experience with the currently adopted Construction General Permit, can be expressed as an effective and functional program.

The present rendition of the Permit is much improved to the previous draft of last year in terms of streamlining the application process, meeting SWQCB water quality objectives, and manageability for local agencies. The latest version of the Permit, however, still requires minor clean-up and refinement prior to adoption by the Board. Those specific comments will be addressed in the CASQA comment letter, however, further consideration on a few specific areas of concern encompass the following:

Performance Based Management

We understand and appreciate the Board's interest in shifting the State's stormwater program towards performance-based management. The Permit adds new elements such as source control, good housekeeping, and E-business. We understand the Board's intent to require developers to compile data by conducting testing, analysis, and reporting. We also understand the Board's desire to enhance the knowledge and accountability of field personnel required to implement and maintain permit compliance through specific certifications. And finally, we understand the Board's position to impose permit requirements aimed at discouraging wet season construction.

With this in mind, we believe the new testing and analysis requirements as currently drafted may only be feasible for a minority of projects possessing more liberal budgeting resources. The majority of projects will most likely result in poor and inaccurate data that may be underutilized. These new testing requirements will escalate developer operational costs without substantial benefit to stormwater quality if not continually monitored by State staff. Unrealistic expectations of a Legal Responsible Person (LRP) to certify subject data prepared by their sub-consultants and daily record keeping accountability issues of sporadic testing and sampling data will not provide benefit to clean water but merely convolute the Permit requirements. Persistent monitoring of the electronic submittals is necessary to immediately react to illicit discharges and noncompliant construction sites to effectively improve water quality.

Lastly, under the existing Permit, developers are achieving performance and reducing stormwater runoff with local jurisdiction enforcement. Roseville, for the 08/09 season, averaged approximately forty-five (45) active WDID's, (2100-2200 actual Stormwater inspections) all of which resulted in no illicit discharges. We believe this constitutes effective stormwater enforcement. Weekly stormwater inspections and City enforcement tools produced desired results effectively, and at a lower cost to the City than that of the proposed Permit. Again, another example of how the existing Permit is effective and manageable. We question the proposed changes to the Permit as described herein.

NAL / NEL

If dischargers are to comply with all water quality standards with varying degrees of accuracy, a known precedence must be in place. The addition of more stringent standards applicable to water bodies must be clarified whether a discharger can be in violation with applicable basin plans for turbidity; even though they are may be in compliance with NAL or NEL requirements of the Permit. Specifically, do basin plan exceedances require any reporting, or documenting?

SWPPP

Please revise the requirement for linear controls for slopes less than 5%. Certainly a 1, 2, or 3% slope does not need the linear controls as specified in the tables. This is excessive, unnecessary, and costly.

Recommendations

In closing we offer the following suggestion:

Should the Board determine the Permit appropriate as proposed, the City would strongly encourage the Board to conduct a "pilot test" period for this Permit on several State construction projects first. This would provide actual field test data for evaluating processes and procedures as well as other feed back mentioned within the body of this letter.

Thank you for your consideration of our comments. Should you have any questions regarding this letter, please contact Chris Kraft at (916) 774-5373. Please include the City of Roseville on any notification distribution list created for this project.

Send all future notices to:

Mark Queipo, Assistant Engineer
City of Roseville
Public Works Department
311 Vernon Street
Roseville, CA 95678

Guy Howes, Senior Engineer
City of Roseville
Public Works Department
311 Vernon Street
Roseville, CA 95678

Sincerely,



Rob Jensen
Public Works Director/City Engineer