



October 22, 2008

Ms. Mona Dougherty
Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

Subject: Draft NPDES Phase I Permit Comments

MEMBER AGENCIES

- City of Cloverdale
- City of Cotati
- City of Healdsburg
- City of Rohnert Park
- City of Santa Rosa
- City of Ukiah
- County of Sonoma
- Sonoma County Water Agency
- Town of Windsor

DAVE RICHARDSON
Executive Director

300 Seminary Avenue
Ukiah, CA 95482
(707) 833-2553

Dear Ms. Dougherty:

The Russian River Watershed Association (RRWA) is an association of local public agencies in the Russian River Watershed that have come together to coordinate regional programs for clean water, fisheries restoration, and watershed enhancement. We represent both Phase I and Phase II communities. Three of our member agencies the City of Santa Rosa, the County of Sonoma and the Sonoma County Water Agency will be directly affected by the revised permit.

The RRWA is committed to achieving a healthier watershed through implementing effective, regional programs. We agree with the overall goals of the existing and revised permits and support the implementation of Low Impact Development, public education, inspections, and enforcement to achieve improved water quality.

The RRWA feels strongly that more time is needed by both the agencies and the RWQCB board members to consider the draft permit. As the draft permit is written, requirements are front-loaded calling for the implementation of most new programs within the first two years. What seems missing is a prioritization of items allowing the agencies to implement the most cost-effective and critical programs for reducing water quality impacts first. The RRWA feels that a more targeted and incremental approach will help agencies successfully develop and implement the new programs included in the draft permit.

What follows below are more detailed comments by permit category. The requirements highlighted in this letter are only a selection of the many new actions the agencies must undertake in order to satisfy the new permit.

Public Outreach and Education

The program elements that impact the activities of RRWA's member agencies are those relating to public outreach and education. Some of the new requirements in the permit include:

- Within 180 days: Develop and implement a strategy to measure the effectiveness of in-school educational programs.
- Within one year: Organize watershed Citizen Advisory Groups/ Committees to develop effective methods to educate the public about storm water pollution.
- Within two years: Develop and implement a behavioral change assessment strategy to gauge effectiveness of education and outreach activities.

We are concerned about the impact this permit will have on our member agencies. It contains many new programmatic and policy requirements with specific deadlines for implementation. Completing these mandates will require the development and implementation of new programs including the identification of new funding and staffing on relatively short timelines.

New Development and Redevelopment Standards

To meet new water quality and hydromodification control requirements the permit requires the development of the following policies and technical guidance documents, along with others:

- Within 180 days: develop and implement the New Development and Redevelopment requirements
- Within one year: develop an LID technical guidance manual.
- Within two years: Develop an area-specific Hydromodification Control Plan including extensive modeling analysis of existing conditions, and impacts of development and LID.

Developing these will require a significant amount of technical research and analysis that will be difficult to accomplish in the time given.

Oversight of Private Facilities

The permit contains new requirements for data collection, inspection and enforcement relating to privately run and maintained BMPs. The most labor intensive of the programs the Permittees must implement include:

- Within one year: The creation and implementation of a tracking system and an inspection and enforcement program for new development and redevelopment post-construction storm water BMPs.
- Within two years: Identify and inspect all industrial and commercial facilities deemed Critical Sources for pollutants.

Inspection programs require significant levels of staffing and will impact the budgets of the Permittees.

Trash Reductions

Despite trash not being listed as a pollutant of concern the permit covers many measures relating to trash control including:

- Within six months: Install trash receptacles at all transit stops in commercial areas, near educational institutions, and in areas subject to high trash generation.
- Within one year: Install trash excluders on catch basins in commercial areas, industrial areas, and near educational institutions.
- There are also requirements for catch basin cleaning, and trash management at public events.

We believe the permit should focus on identified pollutants of concern before imposing new requirements for other pollutants.

Public Process

We feel that the public process and timeline to submit comments on the permit has not been adequate for a highly-technical document that is nearly 100 pages long. We appreciate the scheduling of a public workshop, but scheduling the public hearing one day before the final deadline to submit comments limits the ability of the Permittees and other interested parties to take the insights of others into account when drafting their comments. We also believe that the amount of time (14 days prior to adoption) is not adequate for the board members to review not only the revised permit, but also the comments and responses. Currently, the only opportunity for public testimony is scheduled for the same Board meeting as the final vote on the permit. The Board should have time between hearing the public testimony and adoption of the permit to consider comments made in their final decision.

The RRWA supports the intent and general approach of the new permit. However, we are disappointed with the public process for permit review and are concerned about the timelines and lack of prioritization for the new requirements included in the permit. We appreciate your consideration of these comments.

Sincerely,



Jake Mackenzie, Chair, RRWA Board of Directors
Russian River Watershed Association, www.rrwatershed.org

cc: RRWA Board of Directors