



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

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Planned oral comments by RRWA regarding the Draft Phase I Permit - North Coast RWQCB meeting, October 1, 2009.

SCRIPT:

Good morning Chairman Anderson and members of the Board. Thank you for this opportunity to comment. I am Virginia Porter representing Russian River Watershed Association, a collaborative organization of local public agencies in the Russian River Watershed. Our member agencies include the copermittees on this item: City of Santa Rosa, the County of Sonoma, and the Sonoma County Water Agency: as well as the phase 2 communities of Cloverdale, Cotati, Healdsburg, Rohnert Park, Ukiah and the Town of Windsor. As we expect that the provisions of the Phase I permit and corresponding actions of the co-permittees will set a precedent for stormwater management throughout the watershed, our comments today reflect the interests of our nine member agencies.

RRWA is committed to achieving a healthier watershed by implementing effective regional programs. As such, we agree with the overall goals of the Regional Water Board and the Stormwater Management Plans of the co-permittees. RRWA appreciates the efforts that the Regional Board has made in revising the draft Phase I permit. In spite of the revisions, RRWA still feels that there are modifications needed to the permit.

Like the Regional Board and US EPA, RRWA supports the expanded use of Low Impact Development strategies for stormwater management. However, as currently written, the Phase I permit may actually inhibit LID in our region. In the mostly clay soils of Sonoma County, it is especially important that LID features are carefully designed to function properly and drain expeditiously. If underdrains are discouraged as indicated in Part 4, Section 3.e, many sites in our regions will not be able to effectively implement LID strategies such as permeable pavement and bioretention areas. We ask the Board to modify this condition to consider site soil conditions so that LID strategies can be implemented effectively in Sonoma County.

Additionally, the permit requires the co-permittees to initiate SUSMP guidance formally prioritizing LID treatment BMPs by January, 2010. This early date may create a situation where developers are implementing LID features without proper guidance. As stated in the permit, the LID technical guidance manual is not due until October 1, 2011. We ask the Board to

consider changing the date for SUSMP guidance prioritizing LID treatment BMP's until after the LID technical guidance manual is available.

In some instances, the permit still lacks sufficient clarity. For example, Part 8, Section 2 establishes requirements for wet season grading, but it is unclear if the conditions of Section 2.b apply to all construction sites or only those sites with slopes great than 20%. It may be that the Regional Board intended these requirements to apply only to hillside development but the organization of the permit language implies that the requirements apply to any construction site within the permit boundary. We suggest the word "hillside" be added to items 2.b and 2.c to make it clear that both halting grading and the water quality monitoring requirement apply to hillside grading in the winter and not all grading within the permit boundary.

In addition to these specific comments, RRWA would like to express concern that the co-permittees and other local agencies have had very little time to review the changes that have been made to the permit since we last discussed the permit in this forum on July 22. The changes that were released last Thursday as the Final Draft Order are significant and we understand that further changes to the permit language have been made since the Final Draft was posted to the Regional Board's website. Out of respect for this valuable and lengthy process, we ask the Board to consider this short review timeline in their actions today.

Finally, the permit would place undue financial and administrative burdens on the co-permittees without providing commensurate water quality benefits to our region. Even in the best economic times, the very significant new costs associated with implementing the permit would be difficult for the co-permittees to absorb. With the current state of the economy, these financial burdens are even more onerous.

In conclusion, a tremendous amount of difficult yet collaborative work between the copermitees and your staff has taken place over the last year to bring the permit to this draft order today. We ask the Board to carefully consider the final changes being sought by the copermitees and supported by RRWA. This is not the time for costly and sometimes unworkable provisions. This is the time to take stock of the advances that have been made while prioritizing with the communities where existing resources should be spent. As such, RRWA respectfully requests that the Regional Board consider further revisions to the draft Phase I permit that address the concerns I have outlined today and the other stated concerns of the co-permittees.