



# Napa County Flood Control and Water Conservation District

**PHILLIP M. MILLER, P.E.**  
**DISTRICT ENGINEER**

August 14, 2013

**NCSPPP**  
*Participants*



A Tradition of Stewardship  
A Commitment to Service



Emel G. Wadhvani  
California State Water Resources Control Board  
Senior Staff Counsel  
P. O. Box 100  
Sacramento, CA 95812-0100

**Subject: Comment Letter – Receiving Water Limitations**

Dear Ms. Wadhvani:

On behalf of the Napa Countywide Stormwater Pollution Prevention Program (NCSPPP), thank you for the opportunity to provide comments on the issue of Receiving Water Limitations, specifically in response to questions posed by the State Water Resources Control Board concerning Receiving Water Limitations as addressed in Order No. R4-2012-0175.

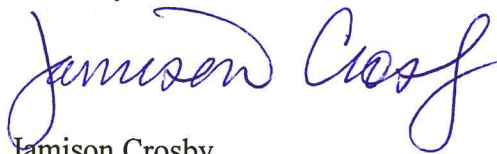
The NCSPPP is a joint effort of the County of Napa, the Cities of American Canyon, Napa, St. Helena, and Calistoga, and the Town of Yountville, facilitated by the Napa County Flood Control and Water Conservation District. Our program goals are to prevent stormwater pollution, protect and enhance water quality in the Napa River, local creeks and wetlands, preserve beneficial uses of local waterways, and comply with State and Federal regulations including the recently re-issued NPDES permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems, also known as the Phase II Permit.

The NCSPPP is very concerned that should the State Water Board not modify the language, we will be vulnerable to third party law suits; such as those brought against the Cities of Stockton and Los Angeles. As per the requirements in the newly re-issued Phase II Permit, especially Provision E.9.c "Field Sampling to Detect Illicit Discharges", our permittees are required perform water quality sampling at outfalls to detect potential illicit discharges into our storm systems and we are deeply concerned results from these samples may put us in further jeopardy of third-party litigation.

The NCSPPP urges the State Water Board to modify the current receiving water limitations language as suggested in the California Stormwater Quality Association (CASQA) comment letter of August 15, 2013. We strongly support CASQA's work and urge you to fully and faithfully consider their suggestions on this topic.

Thank you for your consideration of our comments. If you have questions, you may contact me at 707-253-4823.

Sincerely,



Jamison Crosby

Stormwater Program Manager

C (electronic):

NCSPPP municipalities

Exhibit A-Petitioners and Their Counsel of Record List Revised

Exhibit B-Discharger List for LA MS4 Permit Revised