



Napa County Flood Control and Water Conservation District

Public Comment
Draft Phase II Small MS4 General Permit
Deadline: 7/23/12 by 12 noon

**BILL DODD
CHAIRMAN
BOARD OF DIRECTORS**



July 10, 2012

*NCSPPP
Participants*



A Tradition of Stewardship
A Commitment to Service



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

Subject: Napa Countywide Stormwater Pollution Prevention Program
Comments on Draft Phase II Municipal General Stormwater Permit

Dear Ms. Townsend:



On behalf of the Napa Countywide Stormwater Pollution Prevention Program (NCSPPP), please accept this comment letter on the revised draft Phase II Municipal Stormwater Permit (Permit). 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.



The NCSPPP recognizes the State Board staff's efforts in preparing this draft Permit are well intentioned; however, we remain concerned that the overly-prescriptive nature of the permit will fail to result in cost-effective improvement to local water quality.



Representatives from the NCSPPP have been actively involved in the California Stormwater Quality Control Association (CASQA) Phase 2 Committee that has worked collaboratively and diligently to review and provide constructive recommendations regarding the draft Permit. The NCSPPP fully supports the letter and recommendations that CASQA has submitted under separate cover. Many local agency representatives from all over the State have worked hard to craft and propose improved permit language. We respect the process that CASQA has used, and we respectfully request the Board to fully incorporate the revisions proposed. While we believe a revised draft Permit that fully incorporates CASQA's comments would represent a more cost-effective and reasonable manner by which the Board could

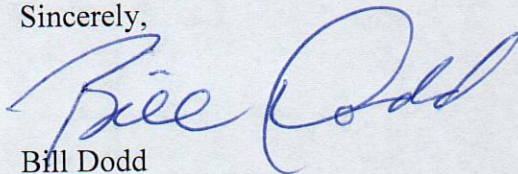


achieve its goals, any such revised draft Permit would still ignore specific local efforts regarding stormwater pollution prevention, watershed protection, restoration and monitoring already in place in the Napa Valley. Most notable is the absence of any such consideration for the work associated with the federal Napa River/Napa Creek Flood Protection Project and numerous other local watershed enhancement projects undertaken by our member agencies in the past decade. These award winning projects, which have costs to date totaling in excess of \$600 million, are at the vanguard of environmentally responsible flood and watershed protection initiatives and represent our community's extraordinary commitment to the enhancement of water quality of the Napa River and its tributaries. In consideration of the special circumstances that may exist in some areas, we recommend the draft Permit be revised to allow municipalities to be exempt from Permit Elements E.7 through E.11 and E.13 through E.16, and instead, allow the municipalities to develop a stormwater program with the Regional Water Quality Control Board that achieves the intent of the Permit provisions.

The draft Permit fails to consider its impacts on the land use policies of Napa County, specifically the zoning designations of Agricultural Resource and Agricultural Watershed, which for more than three decades have been paramount to preventing urban sprawl and thereby reducing stormwater runoff in the watershed. The overly prescriptive nature of Permit Element E.12 and the attendant requirement of volumetric hydromodification will be cost-prohibitive for private development and will result in a de facto prohibition of new infill development in our urban areas. This will be in direct conflict with the land-use policies of the Napa County General Plan and our local agencies' General Plans. We recommend the Board recognize our past efforts and exclude our program (and others whose land use policies are designed to prevent urban sprawl) from Element E.12.

Thank you for your consideration of this comment letter, which was unanimously approved by the Flood District Board at its regular meeting of July 10, 2012.

Sincerely,



Bill Dodd

Chairman of the Board of Directors
Napa County Flood Control and Water Conservation District

cc: NCSPPP Municipalities
Ms. Staci Heaton, Regional Council of Rural Counties (RCRC)