

**Construction General
Permit - Stormwater**
Deadline: 5/4/07 5pm

From: David Innis
To: Smeltzer, Kristen
Date: 4/26/2007 4:38:55 PM
Subject: Fwd: General Permit For Storm Water Discharges Associated Construction And Land Disturbance Activities

Kristen, Here's another letter of concern about the new Construction Stormwater General Permit. -- Dave

>>> "Mike Viettone" <mviettone@flowersassoc.com> 4/25/2007 6:44 PM >>>
David,

on April 18 I attended a seminar dealing with the proposed rule changes identified in the first draft of the NPDES General Permit For Storm Water Discharges Associated Construction And Land Disturbance Activities.

The comments that I have listed below are based on what was presented to us by URS Corporation, and several Attorneys at the April 18 seminar.

We are requesting that the RWQCB reconsider passing the General Permit as it is currently written. We understand that we need to make changes to what we are currently doing in order to make progress. We request however that the changes occur over a longer period of time than what is proposed.

Our biggest concerns are as follows:

- 1) Controlling development by imposing the requirement to not allow any increase to flow or volume of storm water discharge from a site as a result of site development.
- 2) Penalize any construction site not fully paved over or fully landscaped during the winter by requiring use of an Active Treatment System to treat all storm water runoff or requiring you to tarp the disturbed area.
- 3) Establishing water quality standards for storm water discharge.
- 4) Require water quality testing to show that the project is in compliance, or if the tests show that the project is not, this will be used as the basis to fine the project.
- 5) Not allowing the use of structural BMP's unless preapproved by the RWQCB.
- 6) Posting everything electronically, and opening up all projects to review by third parties.

I want to again state that I am not against change, but I am concerned that adequate time be allowed to design a project from the beginning to meet the anticipated rules, and not needing to find some way to make a project that is either at the end of the design phase, or underconstruction comply with these new rules.

Please pass our concerns along to your decision makers, and ask them to revise the first draft of the General Permit to provide us with more time to implement the proposed changes.

Please let us know if you have any questions, or if you should need any additional information regarding our concerns.

Sincerely

Michael Viettone P.E.
Flowers & Associates, Inc.
500 East Montecito Street
Santa Barbara, Calif. 93103
Phone 805-966-2224

