



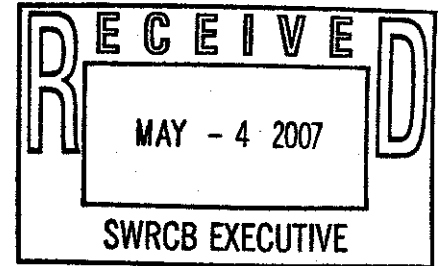
# Rokni Development Company

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

May 4, 2007

State Water Resource Control Board  
1001 I Street  
Sacramento, CA 95817

RE: Comments to Draft General Construction Permit



Dear Sirs and Madams:

First and foremost we appreciate the opportunity to comment on the contents of the Draft General Construction Permit.

All our comments are based on practice of designing Stormwater Pollution Prevention Sites for mega-sites (100-2000 acres), implementing, overseeing the implementation of the BMPs, and monitoring the outcome of such BMPs., Our comments are solely meant to present the perspective from a practitioner's point of view in an attempt to further enhance the quality and beneficial use of our waters.

### Specific Comments:

1. Conditions set for the requirements of an advance treatment system are very unreasonable and severely undermine the art of erosion control.
2. In attempts to regulate all discharges from construction sites, the very important reality of first flush has been overlooked and not mentioned at all. First flush greatly change the outcome constituent levels that are not true representatives of site discharge patterns.
3. For the reason of relatively short lived construction activity per project, is very it is unreasonable not to provide a way for developers to incorporate BMPs installations during the construction phase. In addition, some portions of the infrastructure could be utilized as post-construction BMPs.
4. The State Water Board has not provided any evidence of any water quality improvement due to implementation or lack of implementation of BMPs during the rainy season. This is a huge cost that only results in higher trash output from construction sites that surely exceed trash TMDL's. The Water Board could be more helpful in defining rainy season and the non rainy season.

5. In several places the Draft Permit refers to compliance to local jurisdiction "MS4" permits. Although wetlands and water ways are protected under the authority of local jurisdictions, these sensitive areas should be addressed on a site specific basis during the grading permit stage that should include site specific BMPs for SWPPPs. MS4 compliance in general is based on MEP standards and violates the nature of the BAT/BCT of the General Construction Permit standards. In addition, local jurisdiction have a review and approval period for any documents, which also violates the nature of BAT/BAC implementation of BMPs.

6. Circumstances in which an ATS treatment system is required under the Draft General Permit are not consistent with our observation and practices on projects have multiple acres disturbed prior to rain storms, and by the practice of source control have been able to present a much more reliable and consistent system of storm water conveyance closer to its natural pattern. We have been extremely successful in avoiding undesirable discharge from large construction sites with varying topographical conditions without the limitations of the practice of capture and treatment of storm water (end of pipe technology).

7. Source control mostly consists of coverage of all erodable surfaces, protection against rain drops, and a stabilized conveyance system to the natural streams. This implies that not very many products are involved as opposed to an ATC system. Therefore, we believe that dischargers are not able to get the full story of how user friendly and economical source control BMPs can be. It is our recommendation that the State Board take additional efforts to publish all available options, implications, and suggestions. This would provide the development community with all of the information to make the best site-specific BMP choice decisions. 8. It appears to us that the current Draft Permit immensely watered down monitoring requirements, and we do not know why this may be the intention of the State Board. We do agree with the 48 hour pre-storm event inspection and REAP. We do though strongly disagree with the proposed during (there is none) and post-storm inspection requirements, no water quality data can be obtained from a construction site without either visually monitoring and witnessing the event, or by obtaining continuous sampling during an event for later analysis. We recommend that the existing during and post storm inspection requirements remain the same to allow for practitioners to have necessary tools to monitor and report the true effectiveness of the BMPs in order to enhance or even maintain the existing integrity of the waters of the State.

We look forward to having more workshop and dialogue in order to define a permit that is easy to comply with for dischargers and adequate enough for the Regional Boards to fulfill their mandate.

Respectfully,

Shari Rokni (CPESC)  
Rokni Development Company

