



July 10, 2015

VIA E-MAIL

mrp.reissuance@waterboards.ca.gov

Bruce Wolfe, Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay St.
Oakland, CA 94612

Re: Comments on Proposed Revised Municipal Stormwater Permit

Dear Mr. Wolfe and Members of the Board:

The East Bay Leadership Council thanks you for the opportunity to comment on the proposed revisions to the Regional Municipal Stormwater NPDES Permit. The East Bay Leadership Council is an organization composed of business, government, labor and non-profit leaders in the Greater East Bay region. Its mission is to promote economic vitality and quality of life for all who live and work in the East Bay, the Bay Area, and the State of California.

The East Bay Leadership Council supports the goal of reducing stormwater pollution reflected in the Tentative Order. In addition, the East Bay Leadership Council wishes to commend the Regional Water Board on its recognition of the importance of integrating efforts. As the Tentative Order states, it is critical to:

"integrate water quality and watershed protection with water supply, flood control, habitat protection, groundwater recharge, and other sustainable development principles and policies"

(Provision C.3.a.8). Being in the midst of one of the most severe droughts on record, it is an opportune time to recognize that stormwater capture and re-use may be one piece of a multi-faceted response to the increasingly complex challenge of providing sufficient water supply for the population and the environment so that the dual goals of economic vitality and quality of life remain viable and compatible.

Chair of the Board

Andrew Sabey
Cox, Castle & Nicholson, LLP

Chair-Elect

Steve Van Wart
Tunbridge Associates

Vice President – Finance

A.J. Major
Vavrinek, Trine, Day & Company, LLP

Vice President - Engagement

Bielle Moore
Republic Services

Vice President - Events

Patricia A. Deutsche
Tesoro Refining & Marketing Company

Vice President – Talent & Workforce

Ken Mintz
AT&T

Vice President – Economic Development & Jobs

Sharon Jenkins
John Muir Health

Vice President – Communications

Peggy White
Diablo Regional Arts Association

Vice President – Membership

James Brandt
Morgan Stanley Wealth Management

Chief Legal Counsel

Peter McGaw
Archer Norris

Vice President - Infrastructure

Terry Bowen
Gray-Bowen-Scott

Immediate Past Chair

Keith Archuleta
Emerald HPC International, LLC

President & CEO

Kristin B. Connelly

The East Bay Leadership Council is concerned that, while the proposed permit identifies the importance of integrating efforts, it then forecloses the flexibility that will be necessary to actually accomplish that goal. For example, the time frame allowed for completing offsite and Regional Projects, just three years, is unrealistic. Provision 3.C.3.e.i.(3). Requiring that significant offsite and Regional Projects be completed within three years of completion of the Regulated Project does not recognize the realities of designing and constructing such a project. Even with the opportunity to extend that period to five years at the discretion of the Executive Officer, the option does not give any significant project a chance to get off the ground. Any significant Regional Project intended to incorporate water supply, flood control, and groundwater recharge goals with stormwater treatment will likely take far more than three to five years to compete, given the necessary design and environmental review processes, including the always-present potential for lengthy legal challenges. If funding sources for these projects, i.e., *in lieu* fees, may only be available for three years, the stability of funding necessary to even initiate a truly significant Regional Project will never materialize.

The East Bay Leadership Council urges the Regional Board to extend the time-frame for completing offsite and Regional Projects receiving *in lieu* fees to at least ten years with the opportunity to extend that period up to fifteen years at the discretion of the Executive Officer, and longer with Regional Board concurrence.

Thank you again for this opportunity to share our collective thoughts with you.

Very truly yours,

A handwritten signature in blue ink that reads "Kristin Connelly". The signature is written in a cursive, flowing style.

Kristin Connelly
President and CEO