



## City of Alameda • California

February 27, 2008

Mr. Bruce Wolfe, Executive Officer  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612  
Attn: Dale Bowyer

Re: Comments on Draft Tentative Order National Pollutant Discharge System Municipal Regional Stormwater Permit Dated December 14, 2007

Dear Mr. Wolfe:

On December 14, 2007, the San Francisco Bay Regional Water Quality Control Board (RWQCB) released the updated Tentative Order of the Municipal Regional Stormwater National Pollutant Discharge System (NPDES) Permit (MRP) for interested parties to provide comments. The City of Alameda appreciates the opportunity to provide input on this important regulatory implementation document. Additionally, the City acknowledges and supports the comment letters submitted by the Bay Area Stormwater Management Agencies Association (BASMAA), the Alameda Countywide Clean Water Program (ACCWP), and jointly by BASMAA and the Bay Area Clean Water Agencies (BACWA). The City has focused its review on the Tentative Order MRP Provisions and provides the following comments for your consideration.

As an island community, the City of Alameda is uniquely situated to receive both the benefits of water quality and the impacts of aquatic pollution. We recognize, therefore, the importance of maintaining water quality programs and keeping pollutants out of San Francisco Bay and its tributary watersheds. However, the City's topography, dense urban environment, and close proximity to the Bay also create challenging constraints for the implementation of many of the water quality protection proposals contained in the MRP. In addition, the City estimates that the proposed requirements will require an additional expenditure of \$1.5 million annually.

In general, we are concerned that the Tentative Order MRP proposes to expand existing requirements and include additional costly provisions that have unknown or no demonstrated water quality benefits. Prior to implementing additional and costly requirements, the benefits associated with these requirements should be studied as part of a detailed nexus study that will document the benefits associated with the requirements and provide a cost/benefit analysis.

The RWQCB's Tentative Order MRP does not include or identify any State funding mechanisms to implement these new initiatives. Unless the RWQCB provides for a new revenue stream to fund these additional mandates, the City will not be able to implement these requirements within

our already financially constrained resources. The City's ability to fund these new programs is further impacted by Proposition 218, which limits a local jurisdiction's ability to increase storm water fees. Requiring these additional standards without providing for a revenue source would place an undue financial burden on the City. Implementation of costly requirement, without additional funding, would also require the City to divert existing funding from current activities, which may inadvertently and adversely affect water quality. For example, requirements associated with street rehabilitation improvements would divert funding from preventative maintenance activities, thereby increasing street deterioration and leading to increased erosion and sediment entering the Bay and its tributary watersheds.

The City's comments on the proposed new requirements of the Tentative Order MRP include: (a) discussion of estimates of municipal fiscal impacts, (b) issues regarding practicality of implementation, and, (c) suggestions for alternative means to effectively achieve equivalent water quality protection goals. The City's comments are segregated into three categories to highlight those issues which are: (i) of major concern to the City, (ii) of moderate, yet important, concern to the City, and (iii) suggestions to clarify draft provision wording to improve practical implementation efforts. Our comments are as follows:

#### Proposed MRP Provisions of Major Concern to the City of Alameda

The proposed requirement in Provision C.2.b that at "least 75% of the sweepers replaced within the permit term shall have the particulate removal performance of regenerative air sweepers or better" is overly restrictive and creates an unjustifiable increase in municipal expenditure. There are established concerns that the proposed sweepers may not be as effective in picking up leaves, trash, and larger debris as the broom sweeper equipment currently in use. By requiring a strict ratio of types of municipal equipment, the City is not provided with the flexibility to meet their specific street cleaning needs. This requirement does not appear to be based on any evidence that existing sweeping practices are inadequate or that the long-term replacement of 75% of equipment, as described, would result in significant improvements to water quality. In addition, based on past experience, regenerative air sweepers are more maintenance intensive than conventional broom sweepers, increasing costs and vehicle downtime. The City estimates that, at current pricing, a regenerative air sweeper costs approximately \$33,000 more than a comparable broom sweeper. The City already anticipates having to replace approximately two street sweepers over the term of the pending MRP. Thus, the estimated fiscal impact to the City over the term of the MRP for regenerative air sweeper purchase would be approximately \$66,000 above the cost of direct replacement of the conventional broom sweepers. This does not include increased vehicle maintenance or downtime costs.

Provision C.2.f requires the annual inspection and cleaning of all storm drain inlets and catch basins prior to the rainy season. The requirement for the City of Alameda to inspect and clean all storm drain facilities during the period May through October, would necessitate the purchase of at least three vector trucks and the hiring of six additional full-time staff to operate this new

equipment. The City recommends that this provision requirement should provide the City with the continued flexibility to perform actual cleaning efforts only where necessary based on inspection results. The estimated fiscal impact of the purchase of three additional vector trucks would total approximately \$630,000. The estimated increase in annual municipal staffing to implement this provision is six additional full-time staff, as noted above. The current annual estimate for hiring and employing six additional full-time staff to perform storm drainage inspection and cleaning duties is \$325,000 with benefits; fully burdened the cost would be \$641,000.

The proposed requirement for the Special Land Use Category to apply the C.3 Provisions for new development and redevelopment projects that create or replace 5,000 square feet of impervious surface seems unjustified. Without the analytical support of the current 10,000 square foot threshold it appears unreasonable to assume a need to reduce the current Provision C.3 threshold at this time. The estimated increase in annual municipal staffing to implement this expanded Provision C.3 oversight is approximately 25% of a full-time staff person. The City recommends that the Provision C3 threshold remain at 10,000 square feet for all projects.

The specification that the fixed business bases of a set list of mobile business operation types are subject to industrial and commercial discharge control inspections may place unneeded burden on staff resources. Mobile business operations may not generate water quality impacts at their home base. Mandatory inspection efforts at business locations, not posing a stormwater quality threat, are a poor use of limited inspector staff time and will not provide practical benefit. Local agencies should have the discretion and flexibility to determine what business locations are priorities for stormwater inspection efforts. Oversight of mobile operations is more appropriately addressed within the context of regional outreach efforts and Permittee illicit discharge field survey control activities. Therefore, the City urges that the MRP mandates mobile-business oversight efforts in the context of illicit discharge control. The City also recommends that the RWQCB work at the regional business level to require certification programs similar to the BASMAA mobile surface cleaners program for the types of mobile businesses of concern. The estimated increase in annual municipal staffing to implement this provision for inspections is approximately 5% of a full-time staff person.

The specification that the field activities of a set list of mobile business operation types are subject to the industrial and commercial discharge control inspection program is an ill-defined and misplaced requirement that would result in municipal staff attempting to implement an inefficient inspection effort producing limited water quality benefits. For example, the location and time of specific mobile carpet cleaner activities are not known in advance by Permittee staff, and implementation of this requirement may result in problematic inspection planning and annual inspection goals quantification. It is also problematic and impractical to try to locate active operations of many mobile business types. City staff does not want to be in the position of not completing annual inspection totals for mobile business types simply because we were unable to randomly encounter a sufficient number of such activities in a given year from a given

subset of potential service providers. Oversight of these types of operations is more appropriately focused on within the context of regional outreach efforts and Permittee illicit discharge field survey control activities. The City recommends that the RWQCB work at the regional business level to require certification programs similar to the BASMAA mobile surface cleaners program for the types of mobile businesses of concern. Estimated staffing impact: the increase in annual municipal staffing to implement this provision for inspections is approximately 10% of a full-time staff person.

The specification for the monitoring and analysis of dry weather and first flush flows at two municipal stormwater pump stations without the identification of the funding mechanism for the additional staff time, heightened expertise, and analytical expense creates an additional staffing and expense burden to the City. The estimated increase in one-time municipal staffing to implement this provision for monitoring, sampling, and analytical coordination is approximately 5% of a full-time staff person. The estimated fiscal impact to the City to hire or otherwise provide for the technical expertise to collect and analyze these water samples is approximately \$5,000.

Expanded requirements for regional water quality monitoring and research projects discussed in Provision C.8 is roughly estimated to increase the ACCWP annual monitoring program budget, on average, approximately \$300,000. We suggest that an analysis of the water quality benefits and the costs associated with these proposed activities is used to determine if expanding this activity is justified and prioritized. No funding mechanism is identified for the City's additional expense of contributing its share of the ACCWP operating budget to support the implementation of the new Provision C.8 monitoring requirements. The estimated annual fiscal impact to the City to support this stormwater program effort is approximately \$20,000.

The City is not aware of any practical device that meets the Provision C.10 definition of a Full Trash Capture System that can effectively implement this requirement. The installation of any device with a five-millimeter (5mm) mesh screen is highly impractical in the City of Alameda as it will create a real likelihood of upstream flooding and damages to public and private property. The City recommends that this prescriptive engineering requirement be struck completely. The City further recommends that any full trash capture device requirements allow the City to determine what is practical to install within the existing drainage infrastructure, consistent with proven and workable engineering standards, and any existing State standards. In addition, the RWQCB or the SWRCB should provide for a new revenue stream to fund this infrastructure mandate. This requirement should not become effective until there are proven practical devices on the market.

The requirements for enhanced trash management control measures in Provision C.10 will require additional staff time. No funding mechanism is identified for the additional municipal expense to support the implementation of these new trash control requirements. The estimated

annual increase in municipal staffing to implement, track, and assess the increased trash management control measures is approximately 5% of a full-time staff person.

The Provision C.13.b.ii requirement to install sanitary sewer discharge connections for pools, spas, and fountains may create undue long-term financial hardship for the City of Alameda. The City has a fixed allocation for discharges to the East Bay Municipal Utilities District (EBMUD) sanitary system. The more City waste streams that are added to the profile of discharges to the EBMUD system, the less additional development that can occur. This may result in potentially significant long-term cost and revenue-loss impacts for the City of Alameda. Furthermore, the City is not aware that EBMUD is in concurrence with this requirement with respect to the City of Alameda. The City recommends that the RWQCB seek approval from EBMUD prior to mandating this treatment method in the City of Alameda.

The requirement for the diversion of stormwater pump station dry weather and first flush flows to publicly-owned treatment works (POTW) is impractical for the City of Alameda to implement. The City of Alameda has no control over the sanitary system discharge allocation that EBMUD provides to the City. The City recommends that the RWQCB consider the comments and conclusions included in the joint BASMAA/BACWA comment letter. The City further recommends that any MRP requirements for flow-diversions to POTW's start with agencies that own their POTW facilities.

#### Proposed MRP Provisions of Moderate, Important Concern to the City of Alameda

Although the City understands the importance of curb access for affective street sweeping, the reporting requirement to document "Total roadway length swept at the curb, free of parked cars" (emphasis added) is impractical to implement. Parked cars that interfere with sweeper curb access are intermittent obstacles that the sweeper operators do not have the means to accurately quantify. In addition, any effort to quantify either the number of or cumulative curb-footage of interfering parked cars would distract sweeper operators from effectively and safely operating the sweeper. The City will continue to report on the total miles of active sweeper operation. The City recommends that the RWQCB strike the expectation for local agencies to calculate the cumulative length of parked cars obstructing actual curb access.

The prescriptive requirement, in the Provision C.3.d.iv. (2), to include "two feet of fine grain soil" (i.e., clay or silt) in stormwater treatment system infiltration devices is an impractical specification that may reduce the effectiveness of infiltration and create dysfunctional treatment structures. This specification requirement should be struck and corrected to include criteria with known effectiveness.

Proposed requirements prescribe the establishment and maintenance of databases for the following program components: new and redevelopment projects subject to Provision C.3; data collection on projects generating 1,000 square feet of impervious surface; the municipal illicit

discharge response program; construction site inspections; and agency-wide municipal staff training tracking. The City appreciates the value of proper data management and is confident that it is currently implementing adequate means to track relevant data. However, the estimated annual increase in municipal staffing to establish and implement the specified database management tasks is approximately 10% of a full-time staff person.

The combined increases to municipal facility inspections, facility Storm Water Pollution Prevention Program (SWPPP) production, and staff training from both C.2.i. and C.4.b. will result in additional staff time. The estimated annual increase in municipal staffing to implement, track, and assess these measures is approximately 25% of a full-time staff person.

Provision C.7.b. requires the implementation of two advertising campaigns, including expenditure for media advertisements and pre- and post-campaign surveys to support an effectiveness evaluation in an effort to target trash/litter reduction and pesticide use-minimization. While the City is in agreement that it is important to promote beneficial behavior that leads to water quality improvements, the requirements for such advertising campaigns facilitated by stormwater programs is a prescriptive and potentially unduly costly approach to implement. Moreover, the MRP creates an overlap in mandated programs as other regional and state agencies also regulate these issues. The City encourages the RWQCB to work with the SWRCB, the California Integrated Waste Management Board (CIWMB), the Department of Conservation (DOC) and the Department of Pesticide Regulation (DPR) to establish integrated regional and statewide approaches to most efficiently manage these issues.

The Provision C.9.h.vi requirement to evaluate outreach efforts to Pest Control Operators (PCO's) and landscapers will generate redundant and time-consuming reporting effort. In essence, stormwater program Permittees are being requested to evaluate data already being submitted to another regulatory agency given that PCO's report directly on pesticide usage to the County Agricultural Commissioner's Office. The City recommends that the RWQCB work with the State Department of Pesticide Regulation and the County Agricultural Commissioners' offices to avoid any overlap in mandated regulatory programs. In the event of passage of this requirement, the estimated annual increase in municipal staffing to implement, track and assess this measure is approximately 5% of a full-time staff person.

The Provision C.10.b.i. requirement to establish enhanced trash management control efforts and install full trash capture devices in the same catchment area(s) directs duplicative, cost-incurring measures to be implemented. This provision should be re-written to provide Permittees with the discretion to implement either enhanced trash management control efforts or full trash capture device installations in any given catchment area.

The former Alameda Naval Air Station (now known as Alameda Point) and the Naval Fleet Industrial Supply Center – Alameda (FISC-Alameda) are federal facilities undergoing current (and recent) environmental remediation for contaminants including PCBs. The RWQCB is

currently involved with regulatory oversight for these remediation efforts. Provision C.12.c. should be revised to specifically exempt areas such as Alameda Point and FISC- Alameda where the RWQCB, the Department of Toxic Substances Control, and/or other state or federal environmental agencies that already have responsibility for overseeing or implementing site remediation efforts for PCBs. It is not practical nor an efficient use of public funds for local agencies to implement pollutant control studies in areas where, presumably, the RWQCB has already overseen effective remediation.

The adoption and implementation of a municipal ordinance prohibiting the discharge of wastes from the installing, treating, cleaning and maintenance of copper architectural features will cause the City to incur additional staffing expense. While the City may not have any objection to adopting such an ordinance, no funding mechanism is identified for the additional staff time to enforce this requirement. The estimated annual increase in municipal staffing to approve and implement this ordinance effort is approximately 5% of a full-time staff person.

The adoption and implementation of a municipal ordinance to prohibit discharges from pools, spas, and fountains that use copper-based chemicals to the storm drain will cause the City to incur additional staffing expense. While the City may not have any objection to adopting such an ordinance, no funding mechanism is identified for the additional staff time and effort to enforce this requirement. The estimated annual increase in municipal staffing to approve and implement this ordinance effort is approximately 5% of a full-time staff person.

Proposed MRP Provisions that should be clarified to improve practical implementation efforts

C.3.b.i.(4) includes contiguous sidewalks, bicycle lanes, and creek-side impervious trails within the definition of New Road Projects subject to Provision C.3. Please clarify whether this definition also extends to lagoon-side and bayside trails.

The specification that additional business categories are subject to industrial and commercial discharge control inspections does not appear to be based on any evidence that existing inspection practices are inadequate or that inspecting additional business categories would result in measurable improvements to water quality. We understand the State currently receives funding to conduct a select subset of these assessments and suggest that an analysis of the water quality benefits and the costs associated with these state activities be analyzed to determine if expanding this activity is justified.

The prescriptive violation categorization specifications of the Enforcement Response Plan (ERP) described in C.4.c. and C.5.b., as well as C.6.b., will require the ACCWP member agencies to restructure and/or rewrite our facility inspection procedures, facility report forms, and inspection report database system. The implementation timeline described in these provisions to develop the ERP should be revised to no earlier than June 30, 2009.

The requirement of provision C.7.a.i., to retroactively mark storm drain inlets with a “no dumping” message on privately maintained streets that were not marked upon construction is not feasible as private roads are outside Permittees’ jurisdiction. The City recommends that the RWQCB change this MRP requirement to encourage retroactive inlet marking on private streets.

The required timing for pump station dry weather discharge water grab sample collection and next stage study-planning in Provision C.8.e.iii.(1) and (2) is inconsistent with an effective implementation timeline. For instance, in Provision C.8.e.iii.(1), grab samples are to be collected for analysis in “early summer” (i.e., sometime after June 20<sup>th</sup>) and “early fall” (sometime after September 20<sup>th</sup>) 2009. The priority ranking for on-going studies, based on the analysis of all the regional results, is requested by July 1, 2009. This July 1, 2009, due date is before the first set, let alone the second set, of samples is reasonably required for collection. A similar timing conflict requirement exists in C.8.e.iii.(2). The required timelines for next-stage study planning need to be restated in a reasonable timeline, such as December 31, 2009, and December 31, 2010, for Sections, C.8.e.iii.(1), and C.8.e.iii.(2), respectively. Subsequent deadlines should also be adjusted accordingly.

The City of Alameda’s comments on the proposed requirements of the Tentative Order MRP highlight major and important concerns of the City. These concerns regard potentially significant increases to City expenditures and/or staffing and major challenges for practical implementation of certain requirements. Our comments also provide suggestions to improve practical implementation efforts for water quality protection requirements.

The estimate of the City of Alameda’s increased annual costs for the seven additional full-time staff for the proposed requirements commented on above is approximately \$470,000 with benefits; fully burdened the cost would be \$748,000. In addition, the estimate of the City’s cumulative expenditure increase for equipment and materials over a five-year permit term for the proposed requirements commented on above amounts to \$801,000. There are additional one-time municipal cost and increased Clean Water Program (CWP) staffing impacts, identified in the comments above, that amount to \$5,000 and 100 staff hours respectively.

The City’s current annual stormwater program costs are approximately to \$2.3 million. The above-identified additional expenditures amount to an approximate 39% rise in annual city stormwater program costs. This 39% increase does not take into account staff efforts/costs that other City departments may incur as a result of increased coordination efforts necessary to implement proposed new requirements.

The RWQCB’s Tentative Order MRP does not include or identify any State funding mechanisms to implement proposed new initiatives. The City does not have an alternative funding mechanism in place to capture the additional funds necessary to implement the significant number of proposed new and expanded requirements. The City’s General Fund is not available to compensate additional stormwater program implementation efforts. The City would need to

increase its urban runoff fee through voter approval by a super-majority. There is no guarantee that this would occur.

The City of Alameda requests the RWQCB staff make this letter, and the attached previous letters, an official part of the record for the MRP proceedings. Once again, thank you for the opportunity to provide comments on the Tentative Order of the MRP. If you have any questions or require additional information, please contact Maria Di Meglio, Environmental Services Manager, at (510) 749-5840.

Sincerely,



Matthew T. Naclerio  
Public Works Director

MTN:gc

Attachments:

1. July 13, 2007 letter, Comments on Administrative Draft NPDES, May 1, 2007
2. November 8, 2006 letter, Comments on Staff Draft DPDES, October 16, 2006

cc: City Manager  
Environmental Services Manager



## City of Alameda • California

July 13, 2007

Mr. Bruce Wolfe, Executive Officer  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

Re: Comments on Administrative Draft NPDES Municipal Regional Stormwater Permit  
Dated May 1, 2007

Dear Mr. Wolfe:

On May 1, 2007, the San Francisco Bay Regional Water Quality Control Board (RWQCB) released the Administrative Draft of the Municipal Regional Stormwater Permit (MRP) for interested parties to provide comments. The City of Alameda appreciates the opportunity to provide input on this important regulatory implementation document. Additionally, the City acknowledges and supports the comment letters submitted by the Bay Area Stormwater Management Agencies Association (BASMAA) and the Alameda Countywide Clean Water Program (ACCWP). The City has focused our review on the draft MRP Provisions and we provide the following comments for your consideration.

The Administrative Draft MRP proposes to expand existing requirements and include additional provisions that have unknown or no demonstrated water quality benefits. The City recognizes the importance of maintaining water quality programs and keeping pollutants out of the water system; however, prior to implementing additional and potentially costly requirements, the benefits associated with these requirements should be studied as part of a detailed nexus study that will document the benefits associated with the requirements and provides a cost/benefit analysis.

The RWQCB's Administrative Draft does not include or identify any State funding mechanisms to implement these new initiatives. Unless the RWQCB provides for a new revenue stream to fund these additional mandates, the City will not be able to implement these requirements within our already financially constrained resources. The City's ability to fund these new programs is further impacted by recent limitations on a local jurisdiction's ability to increase storm water fees. Requiring these additional standards without providing for a revenue source would place undue financial burden on the City.

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510.749.5840 • Fax 510.749.5867 • TDD 510.522.7538

The new requirements that are of chief concern to the City include:

1. The specification for monitoring of dry weather flows at pump stations without the identification of the funding mechanism for the additional staff time, heightened expertise and analytical expense. Due to the flat topography of the City of Alameda and the resultant high number of storm water pump stations, this requirement will place a comparatively larger burden on the City. In addition, the difficulty in establishing the timing of significant dry weather flows will place additional burden on staff resources.
2. The expansion of the applicability of the C3 Provisions to new development and redevelopment projects that create or replace 5000 square feet of impervious surface. Without the analytical support of the current 10,000 square foot threshold it seems unreasonable to assume a need to reduce the current threshold at this time.
3. The establishment and maintenance of a database for all new and redevelopment projects creating greater than or equal to 1,000 square feet of impervious surface. No funding mechanism is identified for the additional staff time and effort.
4. The specification that additional business facilities are subject to industrial and commercial discharge control inspections. We understand the State currently receives funding to conduct a select subset of these assessments and suggest that an analysis of the water quality benefits and the costs associated with these state activities be analyzed to determine if expanding this activity is justified. In addition, no funding mechanism is identified for the additional municipal staff time and effort required implementing this new requirement.
5. The specification that mobile business operations are subject to industrial and commercial discharge control inspections may place unneeded burden on staff resources. Mobile business operations may not generate water quality impacts at their home base. The City recommends that the RWQCB work at the regional business level to require certification programs similar to the BASMAA mobile surface cleaners program for the types of mobile businesses of concern.
6. The implementation of a multi-year trash assessment and trash removal program to meet Trash Action Level goals creates additional, unknown cost implications without a cost/benefit analysis to support the requirement.
7. An adoption of a municipal ordinance prohibiting the discharge of wastes from the cleaning and maintenance of copper architectural features. While the City may not have any objection to adopting such an ordinance, no funding mechanism is identified for the additional staff time to enforce this requirement. The City recommends that the RWQCB develop a model ordinance to address this issue.
8. An adoption of a municipal ordinance to prohibit discharges from pools, spas and fountains that use copper-based chemicals to the storm drain. While the City may not have any objection to adopting such an ordinance, no funding mechanism is identified for the additional staff time and effort to enforce this requirement. The City recommends that the RWQCB develop a model ordinance to address this issue.

9. Specification for the requirement to install sanitary sewer discharge connections for pools, spas and fountains. No funding mechanism is identified for the additional staff time and effort to enforce this requirement.
10. The specification to implement a program to facilitate the proper collection and disposal of mercury containing devices wastes from medium and large businesses and municipal operations. No funding mechanism is identified for the additional staff time, effort and outreach costs.

The City of Alameda requests the Regional Water Board staff make this letter an official part of the record for the MRP proceedings. Once again, thank you for the opportunity to provide comment on the current Administrative Draft of the MRP. If you have any questions or comments, please feel free to contact Maria Di Meglio, Environmental Services Manager, at (510) 749-5840.

Sincerely,



Matthew T. Naclerio  
Public Works Director

MTN:gc

cc: Environmental Services Manager



## City of Alameda • California

November 8, 2006

Mr. Bruce Wolfe, Executive Officer  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

Re: Preliminary Comments on Staff Draft Municipal Regional NPDES Permit Dated October 16, 2006

Dear Mr. Wolfe:

On October 16, 2006, the San Francisco Bay Regional Water Quality Control Board (RWQCB) invited interested parties to respond to the most current working draft of the Municipal Regional Permit (MRP). The City of Alameda appreciates the opportunity to provide input on this important regulatory implementation document. Additionally, the City acknowledges and supports the comment letters submitted by the Bay Area Stormwater Management Agencies Association (BASMAA) and the Alameda Countywide Clean Water Program (ACCWP). Due to the brief review time, the City has focused our review on the draft MRP Performance Standards and we provide the following comments for your consideration.

The draft MRP proposes to expand existing requirements and include additional performance standards that have unknown or no demonstrated water quality benefits. The City recognizes the importance of maintaining water quality programs and keeping pollutants out of the water system; however, prior to implementing additional and potentially costly requirements, the benefits associated with these requirements should be studied as part of a detailed nexus study that will document the benefits associated with the requirements and provides a cost/benefit analysis.

The RWQCB's draft does not include or identify any State funding mechanisms to implement these new initiatives. Unless the RWQCB provides for a new revenue stream to fund these additional mandates, the City will not be able to implement these requirements within our already financially constrained resources. The City's ability to fund these new programs is further impacted by recent limitations on a local jurisdiction's ability to increase storm water fees. Requiring these additional standards without providing for a revenue source would place undue financial burden on the City.

The new requirements that are of chief concern to the City include:

1. The replacement of 50% of all existing street sweepers with new street sweeping equipment within five years of the adoption of the Order. While the City has purchased

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- new equipment within the last few years, the requirement to purchase new equipment within five years would result in significant expenses that the City cannot currently fund.
2. The implementation of trash removal programs in waterways at least twice a year without a cost/benefit analysis to support the requirement.
  3. The diversion of dry weather and first flush discharges from pump stations to the sanitary sewer system may require the construction of additional infrastructure with unknown costs and other unknown potential environmental impacts that should be analyzed.
  4. The expansion of the applicability of the C3 Provisions to new development and redevelopment projects that create or replace 5000 square feet of impervious surface. Without the analytical support of the current 10,000 square foot threshold it seems unreasonable to assume a need to reduce the current threshold at this time.
  5. The establishment and maintenance of a database for all new and redevelopment projects creating greater than or equal to 1,000 square feet of impervious surface. No funding mechanism is identified for the additional staff time and effort.
  6. The specification that all business facilities subject to industrial and commercial discharge control inspections shall be inspected at least once every three years. We understand the State currently receives funding to conduct a select subset of these assessments and suggest that an analysis of the water quality benefits and the costs associated with these state activities be analyzed to determine if expanding this activity is justified. In addition, no funding mechanism has been identified for the additional municipal staff time and effort required to implement this new requirement.

The City of Alameda requests the Regional Water Board staff make this letter an official part of the record for the MRP proceedings. Once again, thank you for the opportunity to provide comment on the most current working draft of the MRP. If you have any questions or comments, please feel free to contact Maria Di Meglio, Environmental Services Manager, at (510) 749-5840.

Sincerely,



Matthew T. Naclerio  
Public Works Director

MTN:gc

cc: Environmental Services Manager

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