

5/2/06 - Item 7  
SSORP  
deadline: 4/24/06



**MEMBER AGENCIES**

- City of Cloverdale
- City of Cotati
- City of Healdsburg
- City of Rohnert Park
- City of Santa Rosa
- City of Ukiah
- County of Sonoma
- Mendocino County Water Agency
- Mendocino County Inland Water and Power Commission
- Sonoma County Water Agency
- Town of Windsor

**DAVE RICHARDSON**  
Executive Director

300 Seminary Avenue  
Ukiah, CA 95482  
(707) 833-2553

April 24, 2006

Song Her, Clerk to the Board  
State Water Resources Control Board  
Executive Office  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, California 95814



Subject: COMMENT LETTER – 5/3/06 BOARD MEETING - SSORP

Dear Ms. Her:

This letter summarizes comments of the Russian River Watershed Association (RRWA) with regard to the current proposal of the State Water Resources Control Board (SWRCB), set forth in “Statewide General Waste Discharge Requirements for Wastewater Collection System Agencies,” released on March 24, 2006 (Statewide General WDR). These comments provided here build upon comments previously submitted in a letter to Selica Potter, Acting Clerk to the Board, dated January 24, 2006 in response to the Statewide General WDR released on December 5, 2006.

The RRWA is a group of cities and other public agencies working together cooperatively to coordinate regional programs for clean water, fisheries restoration, and watershed enhancement. RRWA participants are developing projects to improve the watershed and to help local governments meet requirements for clean water and other needs collectively at reduced cost. Several of our member agencies operate collection systems within the Russian River area, and therefore have a direct interest in the Statewide General WDR that will be implemented by the SWRCB.

While RRWA reviewed the entire Draft Statewide General WDR, the comments provided below represent the common issues of interest and opinions held by all of RRWA’s eleven member agencies. It should be noted that RRWA member agencies may have their own perspectives related to other aspects of the Statewide General WDR that are not contained in this letter.

Our comments are as follows:

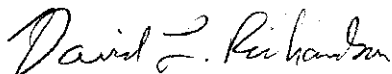
- RRWA continues to support the goals of the SWRCB to implement the Sanitary Sewer Overflow Reduction Program to reduce the number and volume of Sanitary Sewer Overflows (SSOs) throughout the state.
- RRWA supports the change of language from “surface waters” in the December 2005 Draft WDR to “waters of the United States” in the March 2006 Draft WDR because it provides a more established definition of water bodies that could be affected by SSOs.
- While additional language regarding causes of SSOs has been added to the March 2006 Draft WDR, the revisions still do not differentiate

between preventable and unavoidable SSOs. RRWA believes the Statewide General WDR must strongly differentiate between preventable and unavoidable SSOs. We still have grave concerns about the potential impacts of fines or third party litigation given that an affirmative defense, which would have provided protection for agencies, was not included in the March 2006 Draft WDR. Agency program costs should not be further impacted by fines or third party litigation due to SSOs that occur even after full SSMP implementation and full compliance with WDR and Monitoring and Reporting Program (MRP) requirements.

- It is RRWA's opinion that proposed six month implementation schedule for compliance with online reporting requirements is too short. The proposed six month schedule is inadequate based on the amount of time required to fine-tune the reporting system, develop training materials, and train agencies. Therefore, RRWA would be more supportive of a phased implementation of the reporting requirements.
- RRWA believes that the WDR should be the standard for all collection systems except in rare circumstances where specific requirements are set forth in a consent decree or other enforcement order.
- RRWA is concerned about the projected \$40 monthly cost per household (\$480 annual cost per household) to implement the Statewide General WDR that is shown in the Draft Fact Sheet dated March 24, 2006, for small communities; such as those a part of RRWA. This represents a very significant cost increase (for small communities) from the estimated \$72 average annual cost per household, and the program needs to be scaled for size of community that is affected.
- Again, we strongly urge the SWRCB not to adopt the Statewide General WDR and MRP unless protection for agency ratepayers from potentially unfair and unreasonable regulatory fines and third party litigation is added.

We appreciate your attention regarding our previous comments on the December 2005 Draft WDR, and thank you for your consideration of these additional comments in preparing the Final Statewide General WDR. If you have any questions or would like to discuss the issues raised in this letter, please feel free to call me at (925) 627-4100.

Sincerely,



Dave Richardson  
Executive Director, Russian River Watershed Association

cc: RRWA BOD  
Bryan Brock, SWRCB