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City of
Santa Clarita

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

April 24, 2006

Chairperson Doduc and Members of the Board
State Water Resources Control Board
Executive Office
1001 I Street, 24th Floor
Sacramento, CA 95814



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

Dear Chairperson Doduc and Members of the Board:

The City of Santa Clarita appreciates the opportunity to submit comments on the Statewide General Waste Discharge Requirements for Wastewater Collection System Agencies (WDR) and the Monitoring and Reporting Program (MRP) as they are currently written. The City of Santa Clarita is supportive of the goal to reduce the frequency and volume of Sanitary Sewer Overflows (SSO) and commends the State Water Resources Control Board staff for their willingness to address this issue and speak with the regulated community. However, the City has a few concerns with the proposed WDR and MRP.

The City feels that the time schedules proposed in the WDR and MRP are far too aggressive. The development and implementation of a Sewer System Management Plan (SSMP) will require very technical, detailed and comprehensive information to be prepared and implemented to a workable plan in twelve months. This is simply too short of a timeframe to develop a meaningful plan. In addition, there are many individual milestones spread out through the WDR which render the WDR to be overly prescriptive. Satisfying the requirements set forth in the WDR would require capital not budgeted for in the current budget. The proposed WDR and MRP would essentially force the City to establish a new program to manage all of the requirements, programs and entities involved in complying with the permits. The City relies on other governmental agencies for certain services, and the proposed WDR and MRP shift the responsibilities back onto the city. Such a structural shift in the way the City does business and reallocating resources would require City Council approval, which also takes time. Budget cycles and existing coffers must be taken into consideration and the clock should not start, at the very least, until the next fiscal year. Please consider extending the timeline of the WDR.

Though the State Board staff has stated their opinion to the contrary, the City of Santa Clarita firmly believes that affirmative defense language must be included in the WDR. Without this language, any missed deadline, any spill could be



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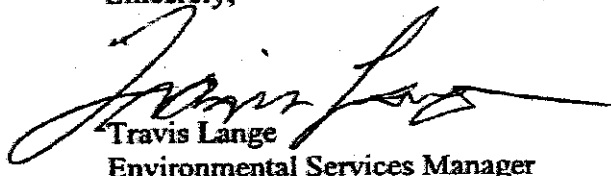
considered a violation of the permit. If the City is following the rules and requirements of the permit, and something happens, the City should be protected. Uncertain circumstances, such as extreme wet weather, earthquakes, or acts of God should be exempted and stated so in writing. "Enforcement Discretion" by a local Regional Board or other agency leaves these types of issues open to interpretation. Affirmative defense language should be reinserted into the WDR so that it does not become a tool for unnecessary litigation.

Finally, the city feels the projected costs of implementing the WDR are too low. It is noted that the cost estimates were derived from Orange County's SSO program. The baseline for all municipalities in the state should not be based on the operating costs of one entity. The City feels that \$72 per household estimate is a conservative figure and actual costs of additional equipment and sustaining long term programs in order to comply with the WDR will be substantially higher. The costs of replacing unknown lengths of sewer pipes in order to comply with the new capacity requirements is a major cost that has yet to be explored.

The City of Santa Clarita strongly urges the State Water Resources Control Board not to adopt the WDR and MRP as written. Consideration of time schedules, affirmative defense language and funding issues must be taken under consideration.

Thank you for your time and consideration of our comments. If you have any questions or need any additional information, please feel free to contact me at (661) 255-4337 or via e-mail at tlange@santa-clarita.com.

Sincerely,



Travis Lange
Environmental Services Manager

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cc: Ken Pulskamp, City Manager
Ken Striplin, Assistant City Manager
Robert Newman, Director of Public Works