



Protecting Alameda County Creeks, Wetlands & the Bay

January 14, 2019

Mr. Dale Bowyer
California Regional Water Quality Control Board,
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear Mr. Bowyer:

399 Elmhurst St.
Hayward, CA
94544
p. 510-670-5543

SUBJECT: COMMENTS ON CALIFORNIA DEPARTMENT OF TRANSPORTATION
TENTATIVE CEASE AND DESIST ORDER

These comments are submitted on behalf of the Alameda Countywide Clean Water Program's seventeen member agencies. We appreciate this opportunity to comment and request that our comments be made part of the administrative record for these proceedings. Our member agencies are committed to improving water quality and the beneficial uses of our creeks and the Bay, and we hope you find these comments useful as you consider adoption of the subject order.

MEMBER AGENCIES:

Alameda

Albany

Berkeley

Dublin

Emeryville

Fremont

Hayward

Livermore

Newark

Oakland

Piedmont

Pleasanton

San Leandro

Union City

County of Alameda

Alameda County Flood
Control and Water
Conservation District

Zone 7 Water Agency

As you are well aware, trash along the California Department of Transportation (Department) right-of-way (ROW) poses a significant threat to our local creeks and the San Francisco Bay. We appreciate your effort to address the issue, especially as the trash along the Department ROW hampers our member agencies' efforts to address trash discharges from their jurisdictions.

Our member agencies have worked cooperatively with Department staff to implement numerous trash control projects, and look forward to implementing many more cooperative projects with the Department in the future. We are generally supportive of the Tentative Order. Our most significant concern is that their proposed schedule for implementing full trash capture is not consistent with and different from the requirements of the Municipal Regional Stormwater Permit (MRP 2) (R2-2015-0049). MRP 2 requires our member agencies to reduce trash discharges by 80% by July 2019, with a goal of 100% by July 2022. The Tentative Order has what appear to be similar targets for full trash capture equivalency of 3,720 acres and approximately 8,820 acres. However, the compliance dates are June 2026 and June 2030 respectively. This discrepancy makes it exceedingly difficult to coordinate effectively with the Department on cooperative projects. It will also make it difficult for the municipalities to comply with their own MRP 2 requirements as the trash along the Department ROW is transported by wind and rain to adjacent jurisdictions. We request that the Department's compliance schedule be aligned with the compliance schedule of our member agencies.

We look forward to continuing our cooperative working relationship with Water Board and Department staff as we endeavor to address the significant challenges in improving water quality, an objective to which the Alameda Countywide Clean Water Program is firmly committed.

Sincerely,


James Scanlin,
Program Manager