



Sun City Roseville Community Association, Inc.

August 29, 2011



Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Subject: Draft General NPDES Permit for Small MS4s (Phase II Permit)

Dear Ms. Townsend and Members of the Board:

On behalf of the Sun City Roseville Homeowners Association (**SCR**), please accept this comment letter on the draft General NPDES Permit for Small MS4s (draft Permit). **SCR** consists of 5,000 residents and contains a golf course and restaurant.

135.1 → We have conducted a review of the extensive draft permit order and found it contains provisions (section E.11) requiring the City of Roseville to not only inspect our business site, but as well require, retroactively, the installation, implementation and maintenance of 10 categories of storm water Best Management Practices. The permit states "The BMPs the Permittee shall require must include the following:" (emphasis added). The permit goes on to list the following categories of BMPs that must be implemented by SCR:

- a. Minimize Exposure
- b. Good Housekeeping
- c. Maintenance
- d. Spill Prevention and Response Procedures
- e. Erosion and Sediment Control BMPs
- f. Management of Runoff
- g. Employee Training
- h. Non-Stormwater Discharges
- i. Waste, Garbage and Floatable Debris
- j. Dust Generation and Vehicle Tracking of Industrial Material

135.2 → While many of the BMPs cited are actions that can be easily implemented, we are highly troubled by those BMPs such as item a. Minimize Exposure and item f. Management of Runoff which could require extensive site modifications. The following elements contained within these items raise serious questions:

- Item a.1 requires locating manufacturing, processing and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance and fueling operations) indoors or under protective covering and including the use of grading, berming or curbing to prevent runoff of contaminated flows and divert run-on away from specified areas.
- Item f. states "Industrial/Commercial facilities shall divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff, to minimize pollutants in discharges."

135.3 → It is unclear whether these items specifically apply to our facilities but, if they do, it also is unclear how we are practically to implement these requirements without significant site modifications. What if our local planning agency were not to allow a business to install new

roofing structures to cover portions of a site due to setback or aesthetic issues? Would the business be fined? There are no allowances in this permit for infeasibility for cost or other issues that could come up. Besides the costs associated with the BMPs themselves, we could be subject to entitlement, permitting and processing fees by our local planning and public works departments. Further, will the retrofitting requirements be exempt from CEQA or will we be required to prepare environmental documentation as well?

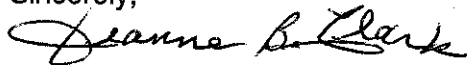
135.4 → The State Board's draft permit was not accompanied by a business case analysis making it difficult if not impossible to fully establish the fiscal impacts to our retirement community. We feel it is fiscally unrealistic to expect SCR and similar organizations to implement these requirements; especially without the fiscal impacts being fully stated. We respectfully request the State Board remove the retrofitting requirements from the draft Permit.

135.5 → We are very concerned that the State Board has not fully notified the business community of these regulations. We only recently became aware of this permit through the efforts of others. The State Board should conduct an analysis of the fiscal impacts to the business community and to the State that would result from implementation of these new regulations.

135.6 → Lastly, we are concerned that the draft permit, by going beyond the requirements of the Federal Clean Water Act, exceeds the legal mandate of the Board. Given its potential financial impact, we feel that any permit modifications should meet and not exceed such federal act.

Thank you for your consideration of our comments.

Sincerely,



Jeanne Clark
President, Board of Directors, Sun City Roseville

cc: Senator Ted Gaines
Assembly Member Beth Gaines