



B A S M A A

Alameda Countywide
Clean Water Program

Contra Costa
Clean Water Program

Fairfield-Suisun
Urban Runoff
Management Program

Marin County
Stormwater Pollution
Prevention Program

Napa County
Stormwater Pollution
Prevention Program

San Mateo Countywide
Water Pollution
Prevention Program

Santa Clara Valley
Urban Runoff Pollution
Prevention Program

Sonoma County
Water Agency

Vallejo Sanitation
and Flood
Control District

September 8, 2011

Ms. Jeanine Townsend, Clerk of the Board
State Water Resources Control Board

Subject: Comment Letter – Phase II Small MS4 General Permit

Dear Ms. Townsend and Members of the Board:



On behalf of the members of the Bay Area Stormwater Management Agencies Association (BASMAA)¹, thank you for the opportunity to provide comments on the draft Phase II Small MS4 General Permit. BASMAA's membership includes Phase I stormwater programs as well as Phase II stormwater programs in Marin, Napa, and Sonoma counties. Our primary concerns with the Permit are below and BASMAA supports comments from the California Stormwater Quality Association (CASQA) related to these concerns:

- Rapid escalation and overwhelming increase in the number and types of requirements proposed – The draft Phase II Small MS4 General Permit is a 2nd generation permit, yet it includes proposed requirements that are beyond those in the 4th generation Municipal Regional Permit (MRP) (see CASQA Attachment B for a detailed comparison with the MRP). Small MS4s are located within and are members of BASMAA's Phase I areawide programs. However, even after 20 years of implementation, including partnering with their Phase I neighbors, the requirements in the MRP on these Small MS4s are different and less than on adjacent Phase I MS4s because Small MS4s have fewer activities that impact stormwater and they do not have the funding, staffing, experience, or resources of their Phase I counterparts. The Phase I Municipal Regional Permit reflects this reality; the Phase II Permit should as well.
- One-size-fits-all approach to the requirements – A hard lesson was learned in designing the MRP. A one-size-fits-all approach quickly becomes a one-size-fits-none approach when the number and diversity of permittees is more than a few permittees. This will be especially true for the diverse mix of Phase II permittees. Good permit design allows for needed flexibility and the ability to prioritize control measures based on local needs and conditions.

Please contact me (510) 670-6548 if you have any questions.

Sincerely,

James Scanlin
Chair, Bay Area Stormwater Management Agencies Association

cc: BASMAA Board of Directors

Bay Area

Stormwater Management

Agencies Association

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¹ BASMAA is a 501(c)(3) non-profit organization comprised of the municipal stormwater programs in the San Francisco Bay Area representing 96 agencies, including 84 cities and 7 counties. BASMAA is focused on regional challenges and opportunities to improving the quality of stormwater that flows to our local creeks, San Francisco Bay and Delta, and the Ocean.