



CITY OF STOCKTON

DEPARTMENT OF MUNICIPAL UTILITIES

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P.O. Box 100
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COMMENTS ON THE FEASIBILITY OF QUANTIFIABLE MEASURES OF COMPLIANCE, INCLUDING NUMERIC EFFLUENT LIMITATIONS (PANEL DISCUSSION, SEPTEMBER 14, 2005)

On behalf of the City of Stockton (City), I submit this comment letter to the State Water Resources Control Board (Water Board) on the technical feasibility of numeric effluent limitations for inclusion in statewide stormwater permits. The City appreciates the Water Board's efforts to solicit input from the regulated community by convening the Panel Discussion.

The Question, as proposed by the Board has significant policy and economic implications for stormwater programs. The City believes the development of a comprehensive statewide policy is required to assist cities in continuing to meet permit requirements as a discharger and to continue to improve water quality within our region and throughout the state. The development of a work plan to answer the Board's Question that can be incorporated into a statewide stormwater policy is critical to the success of the plan's implementation by MS4 agencies.

With that, the City of Stockton fully supports CASQA's General Policy Comments on the continued regulation of stormwater discharges through the iterative Best Management Practice (BMP) based processes. This approach aids regulators in implementing and evaluating the effectiveness of the Stormwater Pollution Prevention Plans (SWPPP's) and is consistent with both the State and USEPA's guidance on regulating stormwater discharges from industrial facilities. The City contends that there is currently not enough information available to derive appropriate numeric effluent limits for dischargers. There is also the concern that numeric standards could force municipalities to focus their resources on specific constituents and as a result, efforts to improve water quality on a watershed basis will be neglected. The City suggests that the Water Board adapt a policy to maintain the current iterative, adaptive management approach to regulating



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discharge of stormwater, and that quantitative measures should only be used as a tool to measure the effectiveness of specific BMP's.

The USEPA recommends the use of BMP's in lieu of effluent limitations for stormwater permits because of the difficulty in calculating numeric effluent limitations for the widely variable flows associated with stormwater and the difficulties in monitoring such intermittent discharges. The Water Board should consider developing standards based on stormwater wet weather conditions rather than conditions assuming continuous flow of effluent within a consistent range of volume.

The lack of BMP effectiveness assessment hinders every aspect of stormwater program management. Cities have limited supporting information upon which to direct development and control pollution. These result in cities recommending the use of engineered mechanical devices for the treatment of stormwater that are expensive to install and exacerbate other pollutants (bacteria) or TMDL implementation plans that ignore the differing toxicity of dissolved and particulate pollutant factions.

The economic implication of the Question on the City of Stockton is one of great concern as the outcome can cause extreme administrative and economic hardship. The City would be forced to allocate substantial fiscal and administrative resources without the benefit of improved water quality within our region. This issue alone is significant to the City as we believe the cost associated with implementing numeric effluent limitations does not produce the water quality effects the Water Board desires. In fact, we believe we will not be able to document water quality improvements with the current technology. Dischargers may be in compliance with a benchmark or numeric limit, but the receiving waters could still be stressed due to other pollutants. The only thing we would be able to document for certain is the rising costs associated with implementation of numeric limits, but not the actual water quality improvement.

The City has sixty-six (66) storm pump stations that service fifty-five (55) square miles within the City's boundary. A cost analysis was performed to determine the potential impact of the Question on retrofitting an existing pump station. Weston Ranch Pump Station, located in the southern part of the City has a peak flow of approximately 175,000 gpm and is situated within a single family residential area. It was determined it would take approximately 9,700 media filter units with a unit foot print of 1.06 acres to capture run off from this area. The land required to make this retrofit is not readily available as the pump station is located within a SFR community. The City would be required to purchase all of the homes within the 1.06 mile radius of the pump station to accommodate the retrofit, at an estimated cost of \$500,000 per home. The total estimated capital costs to construct the treatment device, including land requisition for

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this **one** station would be approximately \$16.25 million dollars. The exorbitant capital cost for retrofitting one existing pump station, coupled with limited knowledge of the technical feasibility and ultimate water quality improvement makes retrofitting an unlikely option for our agency.

I urge the Board to consider both the scientific as well as the technical feasibility of the Question when deciding the direction of this issue as it has significant policy and implementation ramifications for stormwater programs. The SWRCB is required to consider economic considerations in developing permit requirements and at a minimum, the City requests a cost/benefit analysis of the potential fiscal impacts of this proposed permit language.

In conclusion, the City hopes the Board will consider these, and all other comments received prior to adopting a final policy. We look forward to working collaboratively and cooperatively with the Board to address these issues.

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