



CITY OF CORONADO

101 "B" Avenue
CORONADO, CALIFORNIA 92118-1510

DEPARTMENT OF PUBLIC SERVICES
(619) 522-7380

September 14, 2012

Laurie Walsh, PE
San Diego Regional Water Quality Control Board
9174 Sky Park Court
San Diego, CA 92123

SUBJECT: Comments on Administrative Draft, Tentative Order No. R9-2012-0011

Dear Ms. Walsh:

The City of Coronado (City) appreciates the opportunity the San Diego Regional Water Quality Control Board (Regional Board) has provided to the City and the Copermittees to provide initial comments on the Administrative Draft of Tentative Order No. R9-2012-0011, NPDES No. CAS0109266 for Discharges from the Municipal Separate Storm Sewer Systems (MS4s).

City representatives participated in the expanded public involvement efforts lead by the Regional Board through the focused meetings held between June and September 2012. We found the meetings to be very productive and informative, and an excellent approach that promises to result in an improved permit for the San Diego region. We encourage Regional Board staff to continue the dialogue with Copermittees and stakeholders during the next phase of Permit preparation so that we may provide clarification of permit language or explanations of the recommended changes, as necessary.

The County of San Diego, as the Principal Copermittee for the San Diego Copermittees, has submitted a comment document on behalf of the 21 Copermittees in San Diego County. The comment submittal represents a consensus opinion of the San Diego Copermittees and includes comments prepared by the City. The City may provide additional comments in the future when the proposed requirements are presented in the next draft of the permit and public comment period. The City's goal is to recommend language that best addresses any potential differences in the implementation strategies for the City and its unique population, land use, location, and characteristics.

The City's key areas of concern in the Administrative Draft of the permit are listed below.

- 1. Adaptive Management.** The City supports the San Diego Copermittees comments and recommendations for adaptive management strategies as submitted by the County of San Diego. In addition, we respectfully recommend that the Regional Board take into consideration the overall approach to the requirements in the permit to clearly identify and consider the distinction between mandatory provisions and requirements, and procedural

=

and program management requirements imposed on the Copermittees. For example, the permit should direct Copermittees to develop, implement and manage an existing development management program (as part of their jurisdictional runoff management program or JRMP) that addresses the commercial and industrial sectors. The permit should refrain from listing the specific programmatic requirements to be included in the JRMP, such as, types and frequency of inspections, documentation entries (inspection date, time, weather conditions, etc.). The permit should target the highest level requirements and goals within each provision or program, and allow the Copermittees to define the details of program implementation and operational procedures as part of the development of the JRMP. This example is typical of the current prescriptiveness of the permit requirements associated with the JRMP (Permit Section II.E).

We believe that long-term adaptive management will only be possible if the day-to-day operational procedures are set forth in JRMP, as the programmatic document, that demonstrates compliance with the permit requirements. Otherwise, adaptive management may be stifled by the prescriptiveness of the program implementation requirements and operational procedures, and not allow Copermittees the needed flexibility and responsiveness required to adapt programs to changing water quality and other conditions.

2. **Development Planning.** Numerous modifications to the Administrative Draft have been proposed by the San Diego Copermittees. The City has specific concerns with the following new proposed program requirements: (1) single-family residential redevelopment, and (2) alternative compliance program options.

- a. **Single-family residential redevelopment.** The City is mainly residential land use and experiences numerous redevelopment projects of single-family residences per year. The exclusion of single-family residential properties from the priority development project category will allow for these properties to be improved compared to existing conditions by meeting specific requirements to be defined in the BMP Design Manual without the prohibitive and stringent retention and treatment control BMPs that are known to have existing infeasibility conditions of shallow groundwater levels and other physical constraints. We strongly support the San Diego Copermittees recommendation to exempt single-family residential projects from the priority project category. This will support single-family residential development without the need for costly, extensive engineering and technical documentation of infeasibility for this category.

- b. **Alternative compliance program options.** The City's redevelopment of commercial properties may be severely limited, to the possible detriment of water quality, if land-locked commercial properties are limited in their redevelopment options as a result of stringent priority development project on-site retention, treatment control BMP and off-site mitigation requirements currently presented in the Administrative Draft. We encourage the Regional Board to consider the proposed language that allows alternative compliance program options and to weigh the benefits of redevelopment that includes minimum treatment BMPs compared with very stringent, costly on-site retention and treatment BMPs designed to a specified design capture volume, and/or off-site mitigation that limit redevelopment of properties that currently have no treatment BMPs. Costly,

=

comprehensive infeasibility evaluations and documentation should be exempt for redevelopment projects in areas already known for having shallow groundwater and other conditions as long as established minimum LID and treatment BMPs to the MEP are implemented per the BMP Design Manual.

The City looks forward to the next phase of collaborative effort with the Regional Board in the permit reissuance process.

Please feel free to contact me at 619.522.7380 if you have any questions.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Kim Godby".

Kim Godby
Services Supervisor
City of Coronado

cc Matt Little, Director of Public Services
Cecilia Lyon, Management Analyst
Maria Herrera, Management Assistant
Rosanna Lacarra, LaRoc Environmental