

April 1, 2009

Mr. Bruce Wolfe  
Executive Officer  
San Francisco Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

Subject: Comments on the Revised Tentative Order, Municipal Regional  
Stormwater NPDES Permit (No. CAS612008)

Dear Mr. Wolf:

The City of Union City is a co-permittee of the Alameda Countywide Cleanwater Program and has been working with many municipalities and agencies in compliance with Municipal Regional Stormwater NPDES permit requirement. The Revised Tentative Order issued on February 11, 2009 contained many provisions and requirements mandate a major modification to City ordinances and policies. The implementation of the new prescriptive requirements will be financially burdening our City with the current economic conditions.

The City believes the following provisions of the MRP Tentative Order should be revised or removed prior to the adoption:

Provision C.2.d: Stormwater Pump Stations – This provision requires the inspection and collection of the dissolved oxygen (DO) data from all pump stations twice a year during the dry season between the months of July and October and inspecting pump stations in the first business day after 1/4 –inch rainfall within 24 hour and larger storm events. The requirement of inspecting the pump station is expected. However, it is not practicable and is financially burdening the City for collecting DO data and inspecting the pump station for every storm event. The City recommends this unnecessary provision being removed.

Provision C.3: New Development and Redevelopment – This provision lowers the threshold to regulated projects with impervious surface to 5,000 sq. ft from 10,000 sq. ft. for any new development and redevelopment projects to meet the enhance treatment requirement. This also place additional review efforts by the City staff. It appears that any project with 5,000+ sq. ft impervious surface would need to obtain individual permit from the Board.

This Provision will substantially increase the public/private project cost with all the treatment requirements, review, and permit fee. The City recommends the

Board keeping the threshold of regulated projects with impervious surface at 10,000 sq. ft.

Provision C.3: Green Street Pilot Projects --This provision requires the permittees to complete 10 pilot green streets projects that incorporate Low Impact Development (LID) techniques for site design and treatment by July 1, 2013 and to conduct appropriate monitoring of these projects to document the water quality benefits achieved.

The implementation of 10 Green Pilot Projects, regardless of the size and population of the municipality, are very expensive and redundant with other established requirements. The City recommends the Board removing this provision.

Provision C.10: Trash Reduction – This provision requires the permittees to implement a wider set of trash management and trash capture tools to prevent trash, litter and debris impact by installation of 5mm mesh screen at the inlets or catch basins. This requirement place significant financial burdens on the City with installation, maintenance, and reporting costs. In addition, flooding risk to the public and private properties may be increased due to potential clogging of the inlets. The City recommends the Board removing this provision.

The City of Union City is very concerned that many provisions and requirements of the Revised Tentative Order will have marginal improvement to our water quality buy result in huge financial burden to the City. The City is urged the Board to consider delaying the implementation measures due to the currently financial challenges.

The City is committed to implement an effective clean water program and to improve the water quality in our community. Please contact Mr. Henry Louie, City Engineer at 510.675.5301 if you have any questions on these comments.

Sincerely,

Mark Green  
Mayor of Union City