

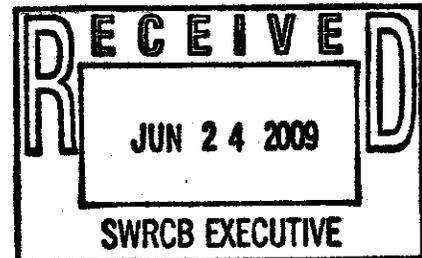


CITY OF ORANGE

CITY MANAGER

PHONE: (714) 744-2222 • FAX (714) 744-5147

June 24, 2009



Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street 24th Floor
Sacramento, CA 95814

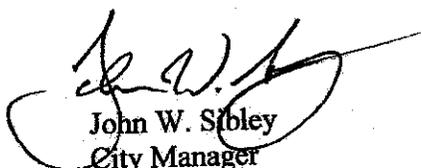
Subject: Revised April 2009 Draft General Construction Storm Water Permit

Dear Ms. Townsend:

The City of Orange appreciates the opportunity to comment on the revised April 2009 Draft General Permit for Storm Water Discharges Associated with Construction Activity (General Permit). The revised permit is an improvement over the previous draft and the City supports the draft permit's goal of minimizing sediment laden and contaminated discharges from construction sites. Because the City will be impacted by the General Permit's requirements, the City would like to take the opportunity to comment on those issues that are still of concern. These issues are identified in the attachment to this letter. The City also supports by reference the comments submitted by the California Storm Water Quality Association (CASQA).

Questions regarding these comments may be directed to Gene Estrada at 714-744-5547.

Sincerely,


John W. Sibley
City Manager

cc: Joe DeFrancesco, Interim Public Works Director
Frank Sun, City Engineer
Gene Estrada, Environmental Program Manager

Attachment: Comments on Revised April 2009 General Construction Permit

Attachment
Comments on Revised April 2009 General Construction Permit

Electronic Permit Application Submittal

One important item that is not addressed in the filing of the electronic PRDs concerns the construction coverage currently provided to the City and other Orange County cities through its MS4 permit. In its MS4 permit, the City is required to comply with the General Permit but is not required to submit separate fees for project coverage.

Under the proposed electronic submittal, project coverage would not commence until all fees are paid. This will result in delays of City project's that are not required to pay General Permit fees and would be inconsistent with its MS4 permit. The SMART system needs to be modified to allow those cities with MS4 construction project coverage to have the permit fee requirement waived.

Recommendation: The electronic submittal system should be set up to allow fee waivers for cities with MS4 construction project coverage.

Risk Factor Analysis

The City supports a risk based system that makes sense. The revised permit has been greatly improved over the previous draft where determining a project's risk level has been greatly simplified. To help with further simplification of the permit, it is suggested that the K*LS product map in the fact sheet for the sediment discharge analysis include a feature that would identify the product of the three values when a cursor is placed over the map. Currently, different values are identified by different colors. Unfortunately, the colors do not vary significantly from one another to be able to accurately determine the correct value corresponding to a project's location.

Recommendations: Include a feature on the K*LS map that will allow the value to pop-up when a cursor is placed over a location.

Monitoring

The requirement to monitor receiving waters remains a significant concern. Most City projects are located within urban areas where construction site discharges first enter the storm drain system before they discharge into nearby creeks and flood control channels. In some instances the storm drain system carries the runoff several miles before entering the flood control conveyance facilities.

The Permit requires receiving waters monitoring when a Numeric Effluent Limitation (NEL) for turbidity or pH has been exceeded. The City believes this sampling is not likely to provide any useful information since discharges from the construction site will comingle with other urban runoff in the storm drain system. Assessing compliance of the construction site with the General