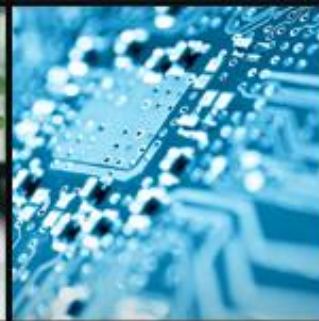


Testimony to SWRCB Los Angeles MS4 Permit Appeal

Presented by:
Susan C. Paulsen, Ph.D., P.E.
Exponent

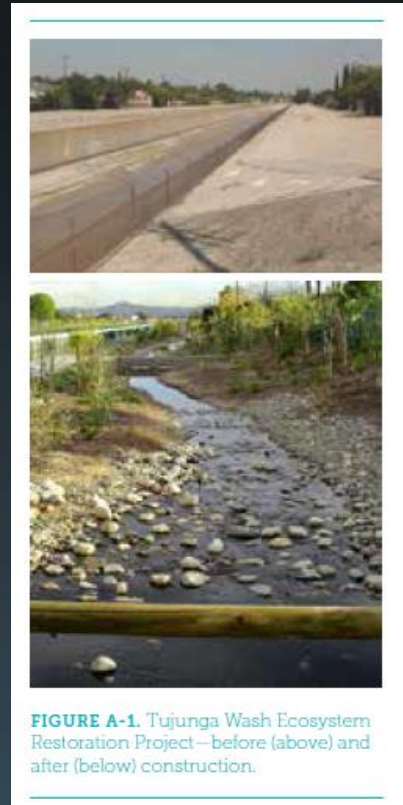
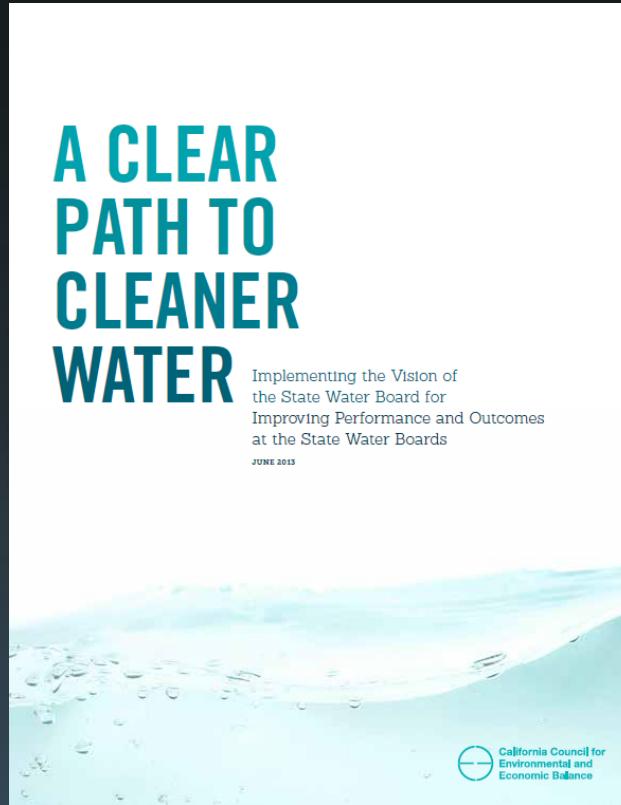
On behalf of:
California Council for Environmental
and Economic Balance (CCEEB)



Summary of Testimony

- CCEEB and others support sustainable, green infrastructure approaches to stormwater regulation
- CCEEB supports the SWRCB Stormwater Strategic Initiative Process
- CCEEB requests that the SWRCB use numeric measures as goals, but not as strictly enforceable legal requirements, now or in the future

CCEEB Supports Sustainable, Green Infrastructure Approaches to Stormwater Control



Sustainable, Green Infrastructure Projects Offer a Range of Benefits

- Offer multiple benefits, including better water quality and water supply enhancement
- Promote multi-party partnerships and are often easier to fund than treatment controls
- Are generally more acceptable to the community
- Can provide recreation opportunities and visual amenities
- Generally use less energy and fewer chemicals, produce less waste, and require less maintenance



Draft Order Supports Sustainable, Green Infrastructure Approaches

“The alternative compliance path should encourage the use of green infrastructure and the adoption of low impact development principles ... should encourage multi-benefit regional projects that capture, infiltrate, and reuse storm water and support a local sustainable water supply ...”

(Draft Order at p. 49)

EPA Policy Supports Sustainable Infrastructure Approaches

EPA's Clean Water and Drinking Water Infrastructure Sustainability Policy

Statement of Policy

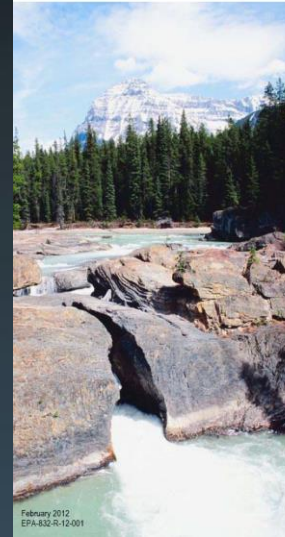
The Environmental Protection Agency (EPA), working with states and local governments, will develop guidance, provide technical assistance, and target federal SRF capitalization assistance to support increasing the sustainability of water infrastructure in the U.S. and the communities it serves

Sustainable water infrastructure is critical to providing the American public with clean and safe water. Further, water infrastructure can only be sustainable if the communities it serves are sustainable, and if local decision makers and citizens understand the value of water infrastructure and the services provided. Federal investments, policies, and actions should support water infrastructure in more efficient and sustainable locations to best support existing communities, enhance economic competitiveness, and promote affordable neighborhoods. Drinking water and wastewater systems

Planning for Sustainability



A Handbook for Water and Wastewater Utilities



February 2012
EPA-832-R-12-001



The Alternative to Green Infrastructure is Hardscape, Energy-intensive Treatment Controls



Source: Photo of Caltrans filter project,
210 Freeway in Pasadena (Paulsen, Dec 2014)



Source: Photo of Aliso Creek Bacteria Treatment Facility
(County of Orange, 2005)

Draft Order Recognizes Difficulty in Meeting Numeric Limitations Under All Circumstances

10. We find that the storm water retention approach is a promising approach to achieving receiving water limitations, but also find that the Administrative Record does not support a finding that the approach will necessarily lead to achievement of water quality standards in all cases. We revise the WMP/EWMP

(Draft Order at p. 73)

Stringent, Legally Enforceable Numeric Limits (Now or In the Future) Will Lead to Hardscape Treatment Solutions

Municipal Recommendations

It is not feasible at this time to set enforceable numeric effluent criteria for municipal BMPs and in particular urban discharges. However, it is possible to select and design them much more rigorously with respect to the physical, chemical and/or biological processes that take place within them, providing more confidence that the estimated mean concentrations of constituents in the effluents will be close to the design target. Moreover, with this more rigorous

Technical Issues

Even for conventional pollutants, there presently is no protocol that enables an engineer to design with certainty a BMP that will produce a desired outflow concentration for a constituent of concern. A possible exception is removal of Total Suspended Solids in extended detention basins, and some types of media filters. The typical approach for evaluating BMP pollutant removal efficiency has been *percent removal*; but observed removal efficiencies vary greatly from facility to facility and it has been demonstrated that percent removal varies directly with the inflow concentration.

Storm Water Panel Recommendations to the
California State Water Resources Control Board

The Feasibility of Numeric Effluent Limits
Applicable to Discharges of Storm Water
Associated with Municipal, Industrial and
Construction Activities

June 19, 2006

CCEEB Respectfully Requests that the SWRCB Use Numeric Requirements as Goals

- CCEEB supports the SWRCB's Stormwater Strategic Initiative Process, which may address these issues, or may result in development of methods for calculating appropriate numeric measures
- Focus should be on green, sustainable, multi-benefit solutions, which do improve water quality
- Using numeric requirements as strictly enforceable limits (now or in future) will lead to undesirable results