

Sent via e-mail: Dale Bowyer dbowyer@waterboards.ca.gov

June 8, 2011

Mr. Bruce Wolf, Executive Director
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

RE: BASMAA Feasibility/Infeasibility Criteria Report
MRP Provisions C.3.c.i.(2)(b)(iv) and C.3.c.iii.(1)

Dear Mr. Wolf:

I am a principal in a small Civil Engineering firm located in Santa Clara. On behalf of myself and my firm, I am writing this letter in support of the Harvest and Use, Infiltration and Evapotranspiration Feasibility/Infeasibility Criteria Report submitted to the Regional Board by the Bay Area Stormwater Management Agencies Associations (BASMAA) on April 29, 2011.

During my 35 year career I have been providing site design for land development projects throughout the Greater South Bay Area. The implementation of Low Impact Development regulations later this year poses particular challenges for site development in the area where we work because of the poor draining soils and rain patterns in the area. I strongly support retaining biotreatment systems as an allowed use for new and redevelopment projects when it is infeasible to implement harvesting, infiltration, and/or evapotranspiration measures. As stated in Section 3.4 of the Report, properly designed bioretention facilities, using current criteria, can meet the biotreatment requirements in the MRP, and also achieve significant stormwater infiltration and evapotranspiration.

As the BASMAA Report identifies, the majority of the urbanized Santa Clara Valley is underlain by Type D soils (Figure A-4), with percolation rates of less than 0.1 inches per hour (Appendix A-9). From this it is evident that reasonably sized infiltration devices cannot achieve the infiltration objective. In addition, because of the efforts of the Santa Clara Valley Water District's groundwater recharge program, groundwater elevations are consistently high, especially from downtown San Jose north. As an example, one of our projects is a gas station on a site near the San Jose Airport. Installation of the below ground tanks required constant dewatering because of the high water table elevation. Obviously infiltration is not feasible for this site.

As outlined in Section 3.3 of the Report, rainwater harvesting is another area that is not readily feasible in the San Francisco Bay Area. While evaporative cooling or industrial



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processes might provide a feasible opportunity for harvesting and re-use, it is not a feasible option for residential or commercial projects. Our rainfall occurs over only a portion of the year, at a time when irrigation is not required, and, as shown in the Report, toilet and urinal flushing will not provide the demand required to use the collected runoff. This is made worst by the regulations for low water use landscape and irrigation, and the regulations for low flow toilets. Therefore, the volume of storage required to capture the site runoff and hold it until it can be used is not cost effective. Long term storage is complicated by the concern for vector control.

In summary, I support the criteria and procedures recommended in the BASMAA Feasibility/Infeasibility Criteria Report and ask that they be formally incorporated into the Municipal Regional Stormwater NPDES Permit and local regulations for project compliance with Provision C.3 requirements. Developers and their engineers need the opportunity to readily apply feasibility and infeasibility criteria to their projects in a cost effective manner as part of their C.3 stormwater quality control submittals.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'm. c. sheehy', with a large, sweeping flourish extending to the right.

Michael C. Sheehy, RCE
Vice President
RCE C029693