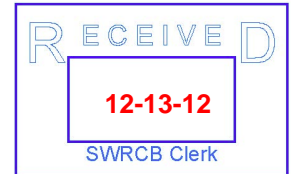




DEPARTMENT OF DEFENSE
REGIONAL ENVIRONMENTAL COORDINATOR, REGION 9
937 N. Harbor Drive, Box 81
San Diego, California 92132-0058



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Ser N4JRR.cs/089
December 13, 2012

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

Subject: COMMENT LETTER - REVISED DRAFT PHASE II SMALL MS4
GENERAL PERMIT.

On behalf of the Department of Defense (DoD) Regional Environmental Coordinator for EPA Region 9, and the Military Services in California, I respectfully submit these comments on the revised draft of the SWRCB's Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit ("Permit").

We appreciate the Board's careful consideration of our comments submitted on the first two drafts of the Permit. We also thank the Board for working directly with us to resolve our comments and concerns, greatly reducing our administrative burden while remaining protective of water quality. We have a few remaining technical comments which are provided in the enclosure and includes our specific recommendations for revising the Permit.

The DoD requests that you consider these comments in the enclosure in the upcoming Permit revision. The points of contact for this letter are Mr. Christopher Haynes at christopher.a.haynes@navy.mil or (619)532-2285 and Mr. Michael Huber at michael.huber@navy.mil or (619)532-2303.

Sincerely,

A handwritten signature in black ink, appearing to read "C. L. Stathos".

C. L. STATHOS
By direction

Enclosure: Phase II Small MS4 General Permit Comments of
December 13, 2012

DOD COMMENTS ON SMALL MS4 PERMIT

1. Post-Construction Stormwater Management in the Central Coast Region

Section: F.5.g.4; Attachment J

Comment: It is our understanding that the SWRCB and the Central Coast Water Board both intend to revised the Permit to allow renewal Permittees, such as Vandenberg Air Force Base (VAFB), to continue developing site-specific post-construction programs apart from the specific approach of Attachment J and the Permit, as long as such programs are equally or more protective of receiving water quality and are approved by the Regional Board's Executive Officer. The reason we are under this impression is that Permit Attachment J is based on the Central Coast Water Board's Resolution No. R3-2012-0025, which applies only to the MS4 permittees who agreed to participate in the regional Joint Effort. However, the new proposed language makes it unclear whether or not this flexibility for MS4s outside of that Joint Effort still exists. Per the enrollment guidance issued by the Central Coast Water Board on February 15, 2008, VAFB has made a costly and good faith effort to develop a Hydromodification Management Plan (HMP) with post-construction storm water controls that will effectively protect receiving water quality and reduce storm water discharges to the Maximum Extent Practicable. We would like the Permit language changed in a manner which enables VAFB to continue moving forward with the development of this HMP for Central Coast approval.

Recommendation: Revise the second sentence of Section F.5.g.4. (page 134) to read "Central Coast Small MS4s subject to Provision F of this Order shall adhere to the Central Coast Specific Post-Construction Requirements unless the Regional Board permits them to develop an alternative strategy that is equally protective of receiving water quality. The alternative strategy shall include a Hydromodification or Watershed Management Plan with post-construction storm water standards approved by the Central Coast Water Board Executive Officer." We also recommend the following changes to carry this revision throughout the entire Permit:

- **Section F.5.g.4(b)** (page 135): After "shall implement the Central Coast Specific Post-Construction Requirements", add "or the requirements of a Central Coast Water Board approved Hydromodification or Watershed Management Plan,"
- **Section F.5.g.4 Reporting** (page 135): After "in Attachment J" add "or the approved Hydromodification or Watershed Management Plan."
- **Attachment J, page 1, paragraph 2:** Revise to read "Central Coast Small MS4s subject to Provision F of this Order shall adhere to the Central Coast Specific Post-Construction Requirements unless the Regional Board permits them to develop an alternative strategy that is equally protective of receiving water quality. The alternative strategy shall include a Hydromodification or Watershed Management Plan with post-construction storm water standards approved by the Central Coast Water Board Executive Officer."
- **Attachment J, page 1, paragraph 2(b):** After "shall implement the Central Coast Specific Post-Construction Requirements," add "or the requirements of a Central Coast Water Board approved Hydromodification or Watershed Management Plan."

2. Non-Traditional Small MS4 Designation List (Attachment B)

Section: Attachment B

Comment: Non-Traditional Small MS4 Permittees with population less than 5,000 should not be included in Attachment B based on criteria discussed at public workshops, and Draft Phase II Small MS4 General Permit Designation Flow Chart dated November 16, 2012. Some of the installations included in Attachment B have populations less than 5,000. None of these installations were designated by the applicable Regional Board.

Recommendation: Delete the following installations from Attachment B:

- MCRD San Diego (3,000 personnel)
- Petaluma Coast Guard Training Center (2,750 personnel)

3. Non-Traditional Small MS4 Designation List (Attachment B)

Section: Attachment B

Comment: Camp Pendleton was mistakenly listed on Attachment A as well as Attachment B. It is not a Traditional Small MS4 Permittees so it only should be listed on Attachment B.

Recommendation: Remove Camp Pendleton from Attachment A