Public Comment
Dft. Construction Gen. Permit
Deadline: 6/24/09 by 5:00 p.m.

From: "Mike Saba" <msaba@ocvcd.org>
To: <commentletters@waterboards.ca.gov>
CC: "Robert F. Cummings" <RCummings@ocvcd.org>, "Amber Semrow" <asemrow@ocvc...
Date: 6/24/2009 4:13 PM
Subject: Re: Comment Letter - Draft Construction General Permit

To: Clerk of the Board (State Water Resources Control Board)

From: Mike Saba (Biologist); Orange County Vector Control District

Comments concerning: DRAFT NATIONAL POLLUTANT DISCHARGE ELMINATION SYSTEM

GENERAL PERMIT FOR DISCHARGES OF STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES

The Orange County Vector Control District (District) is a Special District formed under provisions of the State of California, Health and Safety Code. The District has the responsibility of enforcing sections of the Health and Safety Code pertaining to diseases transmitted by pathogen-vectoring organisms, primarily mosquitoes. Mosquitoes have life cycles that consist of three aquatic life stages. These aquatic life stages require calm to stagnate water sources to complete their development into flying adult mosquitoes, which are capable of transmitting disease-causing pathogens, such as West Nile virus, to humans and wildlife. When waters within the state become breeding places of disease vectors (e.g., mosquitoes), those waters become a public nuisance, as defined in the California Health and Safety Code, Section 2002 (j). Waters that are declared a public nuisance under this statute are a detriment to public health, safety, and welfare, considerations also noted in the Porter-Cologne Water Quality Control Act.

The District is aware that numerous non-structural and structural Best Management Practices (BMPs) will be implemented and/or installed within existing areas as new projects and developments occur, as required by the provisions of this proposed General Permit (Permit) and associated Storm Water Pollution Prevention Plans (SWPPPs). Although structural storm water treatment BMPs are designed to improve water quality by treating sources of urban and suburban storm water and other run off sources, they may become overgrown with vegetation, become clogged with debris, or become subject to other conditions which create persistent areas of shallow water habitat conducive to the breeding of mosquitoes. Thus, vector minimization strategies with respect to the design and long-term maintenance of these BMP features need to be considered in order to protect public health.

Factors that may contribute to mosquito production in structural storm water treatment BMPs include, but are not limited to:

(1) Elevation and/or location of installation (i.e., above or below ground);

(2) Local climate;

(3) Local fauna (e.g., predators) and flora (e.g., aquatic vegetation regime);

(4) Seasonal and non-seasonal storm runoff quantity, quality, and

frequency;

(5) Surrounding land use (present and projected);

(6) Proximity to additional mosquito sources;

(7) Surrounding refuges for resting adult mosquitoes (e.g., trees, shrubs, and storm sewers); and

(8) Surrounding host animals potentially available for adult female mosquitoes to feed on

(Metzger 2004: See References Below).

It would be pertinent and beneficial to have vector minimization considerations added to a subsection of Attachment A (Linear Underground/Overheads Requirements) of the proposed Permit, where SWPPP information and requirements are specified. Furthermore, a stand-alone subsection, such as "Public Health and Safety Considerations," should be included in Attachments C-E (Risk Level 1-3 Requirements) of the proposed Permit, as this would also be an appropriate section to recommend vector minimization strategies as they apply to BMP design and maintenance. Public health and Safety considerations, especially with regard to mosquitoes and other potential pathogen-vectoring organisms, should also be addressed separately in Appendix 5 (Bioassessment) as a "Vector Prevention" subsection, not unlike the existing "Invasive Species Prevention" subsection of this Appendix. Finally, the District would like to assist and recommend language to the State Water Resources Control Board (State Board) staff in the development and preparation of any vector control language/measures that State Board staff is agreeable to incorporating into the Permit per our suggestions.

Vector Minimization considerations, as they apply to the design and long-term maintenance of structural storm water treatment BMPs, are not only applicable to Orange County, but have regional implications with respect to all mosquito abatement and vector control agencies within California. These implications also extend to representative regional and state organizations as well, including the Southern California Vector Control Environmental Taskforce (SCVCET) and the Mosquito and Vector Control Association of California (MVCAC). I am providing these comments on behalf of my District and the SCVCET, and the District looks forward to working with the State Board to develop practical, effective solutions to protect the health, safety, and welfare of the people, while also protecting beneficial uses (e.g., natural resources) and maintaining water quality standards per Section 402 (p) of the Clean Water Act.

For your reference, I have also included the link to the following resource, Best Management Practices for Mosquito Control on California State Properties (California State Department of Public Health), as this may be applicable to the proposed Permit (See References Below).

References

Metzger, M.E. 2004 "Managing Mosquitoes in Stormwater Treatement Devices <http://www.ocvcd.org/docs/managewater_metzger.pdf> " University of California Division of Agriculture and Natural Resources. ANR Publication 8125, 11p.
(http://www.ocvcd.org/docs/managewater_metzger.pdf)

California Department of Public Health. 2008. Best Management Practices for Mosquito Control on California State Properties. State of California Publication. 64p. (http://www.cdph.ca.gov/HealthInfo/discond/Documents/CDPHBMPMosquitoControl6_08.pdf)

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