

## CITY OF OAKLAND



PROJECT DELIVERY DIVISION  
Public Works Agency

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January 6, 2005

DeSilva Gates Construction  
Attn: Kent Peyton, Construction Manager  
P.O. Box 2922  
Dublin, CA 94568

Mr. Peyton,

Thank you for your e-mail message dated January 5, 2005, in which you provided your account of the events leading to the January 3, 2005 discharge from the detention pond. As reminded at our meeting last Tuesday, January 4, 2005 and stated in the Notice of Non-Compliance letter dated November 2, 2004 from the Regional Water Quality Control Board, DeSilva Gates is required to provide a written report to the Water Board of the sediment pond overflow and/or discharge resulting in sediment-laden runoff exceeding 50 NTUs.

As required in the approved wet-weather grading permit, "Water shall be contained or treated before allowing into City's storm drain system". The upper detention basin generally has much more turbid water than the detention pond due to winter grading and lack of erosion control measures. The runoff subsequently flows into Chimes Creek during peak storm water flow. Treating the water at the upper detention basin before it is discharged into the lower detention pond would be necessary to control discharges from the site. The City believes installation of a Baker tank at the upper detention pond is a reasonable mitigation measure to lower the turbidity of the water before it is discharged into the lower pond.

However, providing the baker tank at the upper detention basin would not guarantee renewal of the wet-weather grading permit. Before the City can consider renewing the wet weather grading permit, DeSilva Gates and its consultants needs to provide the City a plan on how to effectively contain or treat all the turbid water from the upper detention basin as required by the permit.

Sincerely,

Jun Osalbo  
Resident Engineer

Cc: Marcel Uzegbu, Ron Ward, David Lau, Fuad Sweiss, William Madison, Mike Neary,  
Scott Huntsman