



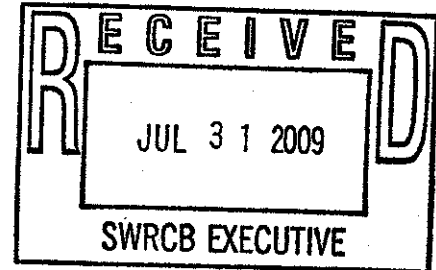
SAN BERNARDINO COUNTY STORMWATER PROGRAM

A Consortium of Local Agencies

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July 31, 2009

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



Subject: Comments on Draft Order, File No. A-1780

Dear Ms. Townsend:

On behalf of the San Bernardino County Stormwater Program, I am writing to provide comments on the draft State Water Resources Control Board Order ("Draft Order") in the *Matter of the Petition of County of Los Angeles and Los Angeles County Flood Control District*, SWRCB/OCC File A-1780 ("Petition"). We understand that the deadline for submitting comments on the full Draft Order has passed, but respectfully request that our comments be entered into the record and provided to the Board members prior to the August 4th meeting. We make this request because of the potentially precedential nature of the Draft Order and its impacts on stormwater program regulation statewide.

The San Bernardino County Flood Control District (District) is the Principal Permittee under a Municipal Stormwater Permit (MS4 Permit) for the Santa Ana River Watershed within San Bernardino County. Our Stormwater Program is a consortium of the Permittees regulated under the MS4 Permit, and includes the District, San Bernardino County, and the Cities of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa.

Our Stormwater Program wishes to express support for the comments submitted by the California Stormwater Quality Association (CASQA) on the Draft Order.

As described in the CASQA letter, we support the concept of Maximum Extent Practicable as the compliance standard for MS4 Permits. We agree that the total maximum daily loads (TMDLs) for bacterial indicators are particularly problematic due to the non-conservative nature of the pollutant and the apparent ubiquity of sources.

While we agree with the need to reduce pollutants in MS4 discharges, we believe it would not be especially beneficial to the environment to unnecessarily place MS4 Permittees in a state of regulatory non-compliance with respect to pollutants that may prove to be uncontrollable.

Finally we agree that the issues addressed by the Draft Order merit the State Board granting additional time to engage stakeholders statewide, and develop a mutually agreeable solution.

Respectfully,

Matt A. Yeager, D.Env
Flood Control Stormwater Program Manager

Member Agencies

City of Big Bear Lake

City of Chino

City of Chino Hills

City of Colton

City of Fontana

City of Grand Terrace

City of Highland

City of Loma Linda

City of Montclair

City of Ontario

City of Rancho Cucamonga

City of Redlands

City of Rialto

City of San Bernardino

City of Upland

City of Yucaipa

County of San Bernardino

San Bernardino County Flood Control District