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September 19, 2011

Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814  
[Commentletters@waterboards.ca.gov](mailto:Commentletters@waterboards.ca.gov)



Re: State of California Department of Transportation (Caltrans) Municipal Separate Storm Sewer System Permit Revised Draft Tentative Order

Dear State Water Board Members and Staff:

On behalf of California homebuilders, developers, and landowners represented by the California Building Industry Association (CBIA), a statewide trade association representing 5,000 member-companies, I am writing to express our opposition to the State Water Board's proposed Caltrans MS4 NPDES Permit, as revised on August 18, 2011.

This permit, as drafted, would impose extensive new regulations on all future Caltrans road construction projects that far surpass what the federal government requires from states under the federal Clean Water Act.

If implemented, Caltrans estimates that the draft permit would drain an estimated \$600 million annually from state road construction projects each year. Such enormous costs would result in the elimination of thousands of jobs in the construction industry at a time when our economy can hardly afford further job losses.

In addition, local public infrastructure projects will also be affected by the reduction in transportation funding. Delay and uncertainty related to the completion of critically needed local and state infrastructure projects will negatively affect any type of economic recovery effort that includes a resurgence in the residential and commercial development industries.

We are concerned that the proposed permit would significantly shift Caltrans' focus from improving roadways to retrofitting existing infrastructure to meet the permit's requirements. This would worsen road conditions, create unsafe driving environments, and force California motorists to pay more for driving on under maintained roadways.

While we support efforts to improve water quality, there is no evidence that these proposed regulations would proportionally improve water quality to justify spending \$600 million taxpayer dollars each year.

For these reasons, our organization opposes the proposed Caltrans MS4 NPDES permit and requests that the State Water Board work with Caltrans to come up with a more cost-effective permit that improves water quality without defunding our transportation system.

Sincerely,

Senior Vice President / Public Policy

Cc: Nancy McFadden, Executive Secretary, Office of Governor Jerry Brown  
Cliff, Senior Advisor, Office of Governor Jerry Brown  
Malcolm Dougherty, Acting Director, CalTrans