

STATE OF CALIFORNIA



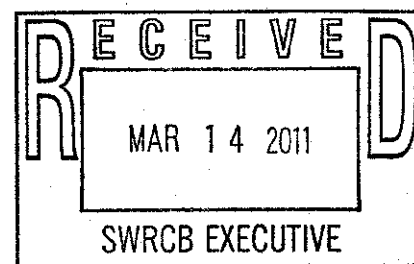
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## CALIFORNIA TRANSPORTATION COMMISSION

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March 14, 2011

Charles R. Hoppin, Chair  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-2000

Cindy McKim, Director  
California Department of Transportation  
1120 N Street  
Sacramento, CA 95814

Re: Comment Letter – CEQA – Caltrans MS 4 Permit

Dear Chair Hoppin and Director McKim:

Recognizing the importance of protecting California's water, and at same time, the competing demands for declining transportation revenue, the California Transportation Commission (Commission) is concerned with the degree to which the Department of Transportation (Department) can comply with the statewide storm water permit requirements proposed by the State Water Resources Control Board (SWRCB). Therefore, prior to adopting a statewide storm water permit, the SWRCB should identify the specific benefits the new regulations are expected to yield along with the cost to the state for each incremental benefit. The Commission encourages the SWRCB and the Department to work together to identify requirements, that when adopted, address California's most critical storm water needs within existing financial constraints and reduce the potential for duplicative regulatory processes.

The Commission is concerned that the cost of compliance may be too great to successfully implement all of the proposed measures, given that annual transportation rehabilitation needs currently exceed \$7.4 billion, with approximately \$1.8 billion (24%) available each year. In light of this funding shortfall, it is imperative that the environmental benefits to be achieved by storm water cleanup be identified to align available funding in a manner that addresses the most critical needs first. It is important that the SWRCB and the Department work together in this effort to identify opportunities to minimize cost and schedule impacts by aligning permit

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requirements and available resources towards those critical measures that address California's most pressing water quality issues.

The Commission is also concerned that the Regional Water Boards may impose additional permitting requirements despite the fact that the proposed permit is intended to serve as a baseline program for addressing the Department's storm water requirements. However, the Commission trusts that the SWRCB, the Department and the Regional Water Boards will work together to avoid the imposition of redundant and/or additional regional regulatory requirements and costs.

If you have any questions, please do not hesitate to contact Susan Bransen, Associate Deputy Director, at (916) 653-2082.

Sincerely,



BIMLA G. RHINEHART  
Executive Director

- c: Commissioners, California Transportation Commission
- Dorothy Rice, Executive Director, SWRCB
- Tom Howard, Chief Deputy Director, SWRCB
- Richard Land, Deputy Director, Project Delivery, Caltrans
- Jay Norvell, Chief, Environmental Analysis, Caltrans
- Scott McGowen, Chief Environmental Engineer, Caltrans