



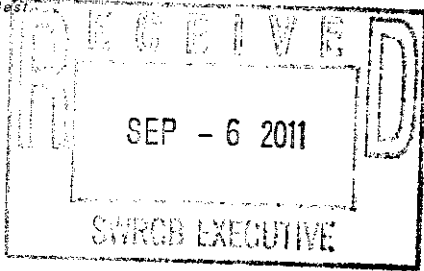
Matt Machado, PE
Director

Laurie Barton, PE
Deputy Director, Engineering/Operations

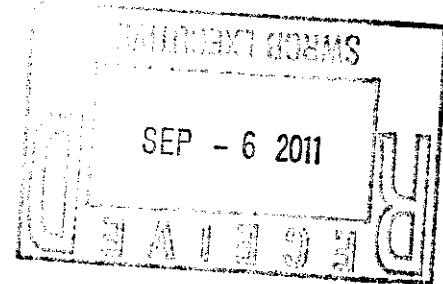
Diane Haugh
Assistant Director, Business/Finance

1716 Morgan Road, Modesto, CA 95358
Phone: 209.525.4130 Fax: 209.541.2505

www.stancounty.com/publicworks



September 1, 2011



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

SUBJECT: DRAFT PHASE II SMALL MS4 GENERAL PERMIT COMMENT LETTER

Dear Ms. Townsend and Members of the Board:

Thank you for extending the initial comment period by 30 days and adding an additional second draft review period of 30 days. This allows Stanislaus County the extra time to properly evaluate the draft Phase II municipal storm water permit and provide constructive feedback to the State Water Resources Control Board.

We are in contact with cities and counties within our region that share our same concerns. These concerns primarily deal with cost and funding. Board members continue to be largely dismissive of concerns over the cost impact the Draft Permit will have upon local governments and businesses. We are providing this letter to strongly encourage the SWRCB staff to conduct a comprehensive cost analysis on the draft permit that includes feedback from those regulated agencies. This permit could be disastrous for Stanislaus County and other MS4 Phase II agencies. Local governments share the desire for clean water in California, but funding must be considered.

Stanislaus County has one of the region's highest unemployment rates, currently close to 18%. With Stanislaus County in a severe recession, our agency has significantly cut back on many core services. With decreasing tax revenue, the Draft Permit mandates will compound the difficult financial position the County is already in.

We are requesting the state Board staff to conduct a comprehensive cost benefit analysis on the draft permit that includes feedback from regulated local governments and businesses. The cost analysis would serve as a valuable tool to help the Board evaluate and prioritize permit provisions that meet the highest water quality objectives using limited local funds.

Stanislaus County is not asking for the permit process to stop, we are asking for the permit process to include a cost analysis. We believe this will result in a better permit that will actually achieve water quality benefits without bankrupting local governments and businesses.

The state Board should either provide the necessary funding or assist the County in identifying and/or developing legal mechanisms to fund the new NPDES program. Proposition 218 creates significant procedural requirements and hurdles for imposing new or increasing fees or charges.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Barton".

Laurie Barton, Deputy Director of Public Works, RCE

cc:

Stanislaus County:

John Doering, County Counsel

Monica Nino, Assistant Chief Executive Officer

Matt Machado, Director of Public Works, RCE, LRP (Legally Responsible Person)

Chris Brady, Senior Civil Engineer, RCE, QSD/P

Paul Saini, Associate Civil Engineer, RCE, QSD/P