



BOARD OF SUPERVISORS

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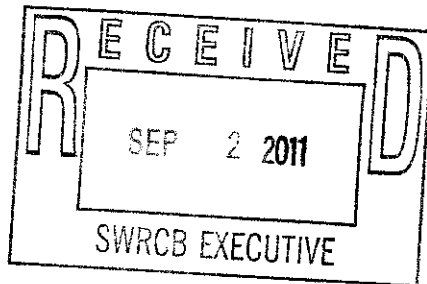
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September 1, 2011

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P. O. Box 100
Sacramento, CA 95812-2000



RE: Proposed Revisions to Phase II Small MS4 General Permit

Dear Ms. Townsend:

The Butte County Board of Supervisors hereby requests that the Water Resources Control Board delay the implementation of any proposed revisions to the Phase II Small MS4 General Permit requirements until the State of California economy improves and funding for local entities becomes more stable and predictable.

The County of Butte is very concerned about the State Water Resource Control Board's proposed revisions to the Phase II Small MS4 General Permit (Permit) for many reasons, some of which are shown below.

First, the State of California economy is still struggling to recover from the recent recession and the County is concerned about the cost and impact the proposed General Permit revisions will have on local business as well as the County's ability to provide basic public safety services to its residents.

Second, extensive changes in the draft revisions of the Permit have more than quadrupled the amount of pages from the existing permit. The proposed Permit is prescriptive, inflexible with a one-size-fits-all approach to all local agencies across the state. Compliance with the proposed permit will have significant fiscal implications on permitted agencies and businesses across the State. For businesses, especially small businesses, these proposed mandates could force them to pay for very expensive retrofits and increase their costs of doing business within the State of California. The County and other local communities will be under increased state mandated regulation and will need to pass on these associated costs of compliance to local business owners.

Finally, many of the new permit requirements listed below are onerous and cost prohibitive:

- Storm water education to school-age children. It should be noted that the education of California's children is not the responsibility of the County's Public Works Storm Water Program
- Storm drain inlet cleaning on a Water Board mandated schedule
- Prohibition of green waste on streets
- Mandating municipal services, such as street sweeping, where such services are not currently provided
- Compilation of rainfall data
- Imposition of water quality runoff standards on new and redevelopment projects
- Water quality monitoring

The State is once again shifting a financial burden away from the State, where it belongs, to those least able to afford it - local governments and businesses.

In summary, the County of Butte requests that the Water Resources Control Board delay the implementation of any proposed revisions to the Phase II Small MS4 General Permit requirements and further revise the proposed Phase II MS4 Permit by taking into account the cost versus benefit of compliance for small rural Counties and the limited resources that are available to them.

Sincerely,



Steve Lambert

Chair, Butte County Board of Supervisors

cc: Wally Herger, 2nd Congressional District
Tom McClintock, 4th Congressional District
Doug La Malfa, State Senate 4th District
Jim Nielsen, State Assembly 2nd District
Dan Logue, State Assembly 3rd District
Paul Hahn, Butte County Administrative Officer
Tom Blixt, Administrative Analyst, Butte County Public Works Storm Water Management