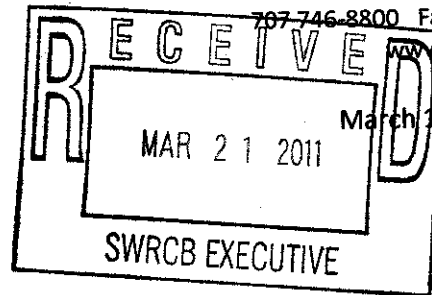


## UNDERGROUND CONSTRUCTION CO., INC.



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March 17, 2011

Jeanine Townsend  
Clerk of the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

Members of the Board,

I feel I must write you even though I feel it is truly an effort in vain. I will start by saying that the businesses of California are not the evil doers that onerous and expensive regulations written by the various enforcement entities suggest. I ask you, what is so deficient of the current SWPPP processes and procedures?

Each additional level of regulation, no matter how "minor" we are told it is, adds to the list of many "minor" tasks required that eventually become the "straw that breaks the back of the camel". I spend more and more of my time complying with rules and regulations from various agencies and less time managing my portion of our business. Obviously, this translates directly into higher costs to operate in this State. That would be wonderful if we only competed for work in this state with only businesses from California, but that is not the case. We compete for work in other states as well as against out of state contractors for work in this state.

I'm not going to be an alarmist and say these additional responsibilities (costs) are going to drive us out of state, but they do add up! At some point in time there will be a reckoning. I read this morning that because of our regulatory requirements, it costs an additional \$200,000 to build a fast food restaurant in California over Texas. Why would one invest an additional 5% for a similar return on investment (probably better if you consider the \$200k) and build in this state?

I also question the necessity of your increases of regulation. Was a cost benefit study done and will we have significantly better water quality that is justifiable for the combined increase of cost?

I ask you to not make changes to the storm water permitting process. Why fix what is truly not broken?

Sincerely,

Thomas Thornton  
Equipment Division Manager  
1133 Merlin Court  
Alamo, CA 94507

Cc: Honorable Joan Buchanan, Honorable Mark DeSaulnier, Honorable Mariko Yamada, Honorable Noreen Evans