

COLLEGE OF
MARIN

College Operations

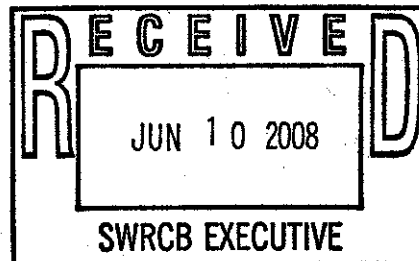
835 College Avenue
Kentfield, CA 94904
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Public Comment
Draft Construction Permit
Deadline: 6/11/08 by 12 p.m.

Kentfield Campus
Indian Valley Campus
www.marin.edu

June 10, 2008

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95812



Dear Ms. Townsend:

On behalf of the Marin Community College District, I request that you reconsider a very onerous Draft Storm Water Construction General Permit proposed by the State Water Resources Control Board (SWRCB). The District has very limited funding available for capital projects, and the severe financial burden that these changes will significantly impact our ability to deliver projects promised to the voters in our last local bond election. We have constructed more than a dozen major projects since 2000 with no adverse affect on storm water runoff; therefore, we do not understand the need for us to undertake a significantly more onerous process. I believe that the proposed draft permit will delay projects currently under construction or in design and will cause the District to incur significant additional cost that may impact general fund operating revenues that would otherwise be used to deliver classroom instruction. We currently have four major projects under construction and eight in design that would be significantly affected.

Our specific concerns are as follows:

- **Projects Already In Process**

The proposed implementation date for the final Construction General Permit is 100 days after SWRCB approval, with final approval expected in summer 2008. At this late date, not only would the Marin Community College District incur significant additional cost, but also significant delays in our projects. These delays will result in contractor claims, and demands for additional fees from the Architect, Project Manager, Inspector of Record, and District Consultants. We are already challenged in our projects due to significant increases in steel prices, concrete prices, and labor increases.

We are requesting an exemption for those projects that are already in the approval process "pipeline." In 2003, a similar exemption was granted to school and community college districts and county offices of education for the Small Municipal Separate Storm Sewer Systems (Small MS4). We believe that educational agencies should again be recognized as "non-traditional" permittees. We recommend that the SWRCB designate school and community college districts and county offices of education to comply with the Six Program Areas/Minimum Control Measures and Attachment 4, respectively, of the Small MS4, which stipulate policies for areas subject to high growth or serving a population of at least 50,000 for receiving water limitations and design standards. The

Post - Construction "no redesign expectation" provision should be updated to allow the same amount of exemption time (20 months) as the Small MS4.

• **Addition of Regional Water Quality Control Boards to the Review Process.**

Community college construction projects are already reviewed and approved by four different state "agencies", (i.e., Division of State Architect, Board of Governors, Department of Finance/Public Works Board and Legislative Analyst's Office). By adding the regional boards to the review process, an already lengthy process will be further extended. Additionally, we are concerned that the Draft Permit does not specify a deadline for completing the regional board review process.

It is more economical and practical to have one of the above-mentioned state agencies also review the plans for storm water compliance. This is especially relevant because the regional boards have never been adequately staffed to even implement designation of school districts to participate in the Small MS4.

We recommend that: (1) the storm water construction permit and plan review function be given to one of the existing state agencies involved in performing related review activities or (2) a 30 day automatic approval be granted after the application is submitted to the regional board, if the regional board has not taken action on the application within that time frame.

The Marin Community College District requests that you consider our recommendations and respond to our concerns. Questions regarding this letter should be made to Bob Thompson, Director of Maintenance and Operations, phone 415-485-9450, email Robert.Thompson@marin.edu.

Sincerely,



Al Harrison
Vice President of College Operations

cc: Ms. Doduc, Chair, SWRCB
Mr. Wolf, P.E., PhD, Vice Chair, SWRCB
Mr. Baggett, Jr., Member, SWRCB
Mr. Hoppin, Member, SWRCB
Ms. Spivy-Weber, Member, SWRCB
Mr. Chang, Los Angeles County Office of Education (LACOE)
Ms. Gibbs, LACOE