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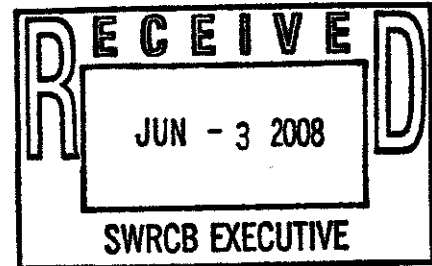
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May 27, 2008

VIA FIRST CLASS MAIL

Jeannie Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, California 95814



RE: Comment Letter - Draft Construction Permit

Dear Ms. Townsend :

On behalf of our clients, we appreciate the opportunity to comment on the State Water Resources Control Board's Draft Construction General Permit, dated March 2, 2007.

Many of our clients are in the process of long-term planning for the acquisition, construction and entitlement of numerous properties throughout the State of California. Some of them are involved in the retail store sector and in order to meet retail demand of numerous cities and towns throughout the state will be engaged in the process of acquiring property, constructing and entitling their stores over a long period of time and will therefore be applicants for the revised Construction Permit. These companies have a current and continuing interest in the proposed modifications of the Draft Construction Permit, the permit reissuance process and the requirements that will be imposed on the construction industry.

In particular we are concerned that:

- The Storm Water Panel Report does not appear to have been a thorough, balanced nor technically supportable evaluation of the science needed to justify regulatory imposition of numeric limits for point source discharges.
- Numeric limits have been demonstrated to be neither a scientifically supportable option for point-source discharge control nor a cost effective alternative to the Best Management Practices currently being used. Because US EPA has specifically rejected numeric limits as a viable point source pollutant control method, the State Board should move cautiously in a direction where the science weighs against imposition of these requirements.

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We understand that several construction associations and chambers of commerce have submitted extensive comments on the Draft General Permit, and our clients support these comments and we hereby incorporate them herein by reference.

We appreciate the Board's consideration of these comments and look forward to the opportunity to further engage the board and the public in a discussion on the Draft General Permit.

Very truly yours,



Garry M. Brown, Senior Counsel for
GRESHAM SAVAGE
NOLAN & TILDEN,
A Professional Corporation

GMB