

**From:** "James C. Ray, Jr." <jray@msce.com>  
**To:** commentletters@waterboards.ca.gov  
**Date:** Mon, Jun 9, 2008 6:15 PM  
**Subject:** Comment Letter: Draft Construction Permit

Clerk to the Board Townsend:

On behalf of my company, I am writing to express concerns regarding the proposed Draft General Permit for Discharges of Storm Water Associated with Construction Activities ("the Permit") now being considered by the State Water Resources Control Board (SWRCB).

As an engineering professional, I have had regular experience in successfully designing and recommending practices to manage stormwater runoff from construction sites. I am troubled, therefore, by the drastic changes in stormwater runoff management called for in the Permit. The extremes of those changes seem unnecessary given the track record of the construction industry's "best management practices". Instead of improving the best management practice approach, the permit will simply create confusion and uncertainty and lead to increased housing, office and commercial costs.

Some of the Permit's new requirements make no sense. For example, the Permit adopts complicated and costly new sediment-content standards (numeric effluent limits) that the SWRCB's own blue-ribbon panel rejected due to the current lack of data and necessary technology. This and other new requirements are proposed without any demonstration that they will produce any marked improvement water quality.

While I join with California homebuilders in supporting improvements to the management of stormwater runoff, those changes should be practicable, workable and should lead to certain improvements in water quality.

Regrettably, the Permit in its present form appears to fail at meeting those reasonable tests. Accordingly, I urge the SWRCB to resolve the Permit's defects and inconsistencies before moving forward on its adoption.

Sincerely,

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