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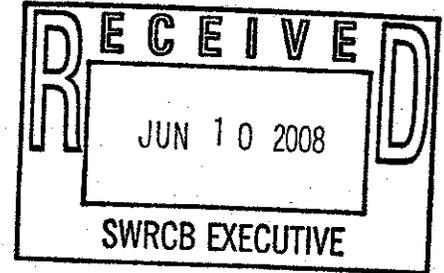
June 10, 2008

Public Comment
Draft Construction Permit
Deadline: 6/11/08 by 12 p.m.

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Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
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Sacramento, CA 95814



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Re: Letter in opposition to the Draft General Construction Permit

Dear Ms. Townsend and Members of the Board:

The Southern California Contractors Association is a leader in improving the state's water quality from improved construction practices for nearly the past two decades. As such, we find ourselves in the uncomfortable position of opposing the Draft General Permit for Discharges of Storm Water Associated with Construction Activities as proposed by your staff.

We attended your hearing in Sacramento, June 4, and were surprised to hear spokespersons for a variety of environmental organizations say the same thing we were thinking—this proposed regulation is far too complicated and depends on unproven technologies to achieve the intended goals.

We have co-sponsored dozens of water quality compliance seminars over the last 15 years for our members. Nothing that we have trained them on in the past will prepare them for the future envisioned by the proposed permit. We have discussed future training with the bevy of highly skilled consultants we employ for these efforts and the consultants tell us they don't understand the ramifications of the proposed rule—and they have participated in every workgroup and workshop meeting the SWRCB has held on this measure for the past three years.

We also agree with the spokesperson for the California Stormwater Quality Association (CASQA) who brought to your attention that the proposed new standards call for levels of attainment that are far below the naturally occurring levels of water quality in our state... even rain water isn't as pure as required under the proposed permit.

SCCA doesn't expect regulatory agencies to honestly address the cost of their rules when making decisions, due in part to the lack of knowledge on the part of staff about how the private sector works, evidenced by the nonchalance in the way the



Letter in opposition to the Tentative Order

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economic issues are addressed in the staff report. We won't be addressing the impact that this proposed permit will have on the cost of housing or highways, although others will—and it will aggregate into billions that will be paid by homeowners and taxpayers.

We do, however, expect and even demand that any additional regulatory burden be achievable, effective and enforced equally throughout the state. Many times we have seen these rules pass only to be undermined and made ineffective by inadequate technologies, untested, impractical theories and lackadaisical enforcement.

Our friends in the environmental community are always happy to point to isolated instances of slipshod efforts by a minority of contractors and then paint our whole industry in very dark and sinister tones, which is certainly not the case for our members. The question of even-handed enforcement of regulations, rather than the hit-or-miss approach of the past must be addressed by the Board before they adopt any changes to the rules.

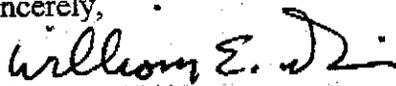
SCCA members have been on the forefront of construction to improve both our water quality and capacity. Our members build dams, sewer and water projects, water treatment facilities and even desalinization plants. We are a big part of the solution.

In these projects our members have developed successful and proven approaches to reducing stormwater runoff and improving water quality around their sites using the iterative BMP approach. The proposed permit turns its back on best management practices and calls for new technologies, some of which have only been proven effective under laboratory conditions—which don't exist on any construction site, anywhere.

The Southern California Contractors Association is a founding member of the Construction Industry Coalition on Water Quality (CICWQ) and has been active in Californians for Improved Water Quality, a coalition of business, labor, public schools, local government, homebuilders and others who support tough standards for water quality and stormwater runoff but think the proposed permit will increase costs without resulting in equivalent water quality benefits.

We urge the proposed permit be returned to your staff for the improvements we noted above and those you will hear from all sides of this critical issue.

Sincerely,



William E. Davis
Executive Vice President

Cc: SCCA Board & Officers