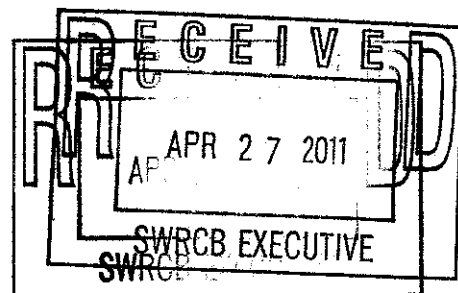




April 27, 2011



commentletters@waterboards.ca.gov

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, Sacramento, CA 95814

Re: Draft Industrial General Permit for Storm Water Discharges

Dear Ms. Townsend:

The California League of Food Processors (CLFP) is a statewide not-for-profit trade association that represents the \$13 billion dollar food processing industry in California. Our member companies are primarily canners, freezers, dryers and dehydrators of fruits and vegetables. Additional processor members include snack foods, juice bottles, and specialty processors of a variety of food products. There are thousands of food processing facilities throughout the State that create nearly 160,000 permanent jobs in California.

CLFP appreciates the opportunity to provide written comments to the State Water Board ("Board") on the Draft Industrial General Permit. CLFP could support a reasonable science based effort to control constituents in rainwater. **However, we simply cannot support an industrial general permit that significantly increases our costs with little, if any, water quality benefits to show for it.**

Specifically, we cannot support a proposal that includes arbitrary and costly numeric limits with an escalating compliance schedule with no certain way out and may subject our industry to criminal, civil and third party lawsuit liabilities.

Further, we oppose the mandatory BMP's that don't reflect the diversity of the our industry and place a difficult burden on us to prove them inapplicable and alternatives at least as effective while being unable to quantify the proposed mandatory BMP's effectiveness.

We are also very concerned about the costly administrative burdens in this draft including:

- New training and qualifications for the SWPPP Developer and Practitioner
- Professional Engineer review
- Rain gauge and weather equipment

- Weekly inspections
- Daily inspections and cleaning
- Erosion and sediment control
- Additional frequency of inspections on qualified storm events
- Increased sampling
- Reporting of sample results within 30 days
- Corrective Actions
- Public access to information

Conservative estimates from some of our member companies range from \$15,000 - \$18,000 annually for the additional maintenance, training and staff hours needed to fulfill the proposed requirements.

We would ask the Board to remember that this is not the only major regulatory initiative our members will be financing over the next several years. The cumulative economic impacts of these requirements will have a significant effect on the ability of the food processing industry to grow in California and remain competitive both nationally and internationally. **CLFP believes it is critical for the Board to conduct a thorough economic analysis to measure the full economic impacts that complying with this draft industrial general permit would have on California businesses, schools, cities, and counties.**

CLFP appreciated the opportunity to express our concerns at the public hearing on Tuesday, March 29. We felt encouraged that members of the Board requested more information on some of our areas of concern, including: recommendations for a "sector-specific" approach for NALs, making training more flexible and accessible, more specifics on "off-ramps" for corrective actions, and finally, an estimate of the range of economic impacts to inform policy development.

We also appreciated the opportunity to meet with the Board's staff after the public hearing to express our concerns further. CLFP feels it is imperative that the Board continues to engage stakeholders in this process. We would be supportive and willing to serve on a stakeholder working group to more thoroughly work through our issues of concern.

The road forward needs to be practicable and provide certainty for California's industry so the business climate can recover and thrive and California's residents can be assured that industry is acting appropriately to protect our water resources.

Thank you for the opportunity to comment.

Sincerely,



Trudi Hughes
Director, Government Affairs