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September 7, 2011

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000Phase II Small MS4 General Permit

143.1 → On behalf of the ten campus University of California system, we are writing to submit our comments on the Phase II Small MS4 General Permit. Rather than provide a separate list of detailed comments, we would like to state our concurrence with the comments prepared by the California Stormwater Quality Association (CASQA). We believe that CASQA's comments provide an excellent summary of the significant flaws in the current draft Permit.

In addition, we would like to briefly highlight the following points:

143.2 → State funding to the UC system has dropped by 27% in the past four years alone. Our students have been subjected to a series of fee increases. These increases have failed to close gaping budget holes, and the UC system has been forced to lay off thousands of workers. We join small municipalities in the unfortunate position of lacking both the human and infrastructure-related resources to fully comply with the provisions of the draft Permit.

143.3 → Stormwater on our campuses is already adequately protected and enhanced through a number of programs, including the Construction General Permit, Sanitary Sewer Overflow reduction program, and specific water quality mitigation measures in our Long Range Development Plans, many of which go beyond and differ from what is required by statute. Additionally, our UC systemwide policy on green building mandates that new development meet or exceed the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) 'silver' rating. Many of our projects elect to earn LEED stormwater quantity and quality design credits.

143.4 → UC is a system of research-focused institutions of higher education. While we share some similarities with local jurisdictions, water quality concerns and issues on our campuses differ significantly, such as the patterns of trash generation and disposal. The draft Permit's rigid approach is inappropriate for our campuses, and may hinder us from focusing limited resources on other areas that need greater attention in order to protect the environment.

143.5 → UC strongly supports the Board's mission to protect and improve water quality. However, we believe that the draft Permit, as currently written, will impose a significant additional burden on the University of California system with little or no actual environmental benefit. Drawing on already strained resources, the draft Permit will actually result in an overall net reduction in the environmental protection of our campus communities. We therefore strongly encourage the Board to reconsider its prescriptive and burdensome approach to this Permit.

Thank you for your consideration,

Robert B. Charbonneau