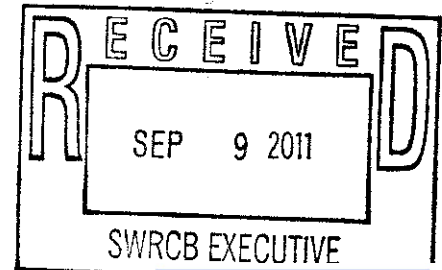




September 7, 2011

Mr. Charlie Hoppin, Chair
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



Subject: Draft General NPDES Permit for Small MS4s (Phase II Permit)

Dear Chairman Hoppin:

The California Chamber of Commerce (CalChamber) is the largest broad-based business advocate to government in California. Our membership represents one-quarter of the private sector jobs in California and includes firms of all sizes and companies from every industry within the state. Three-fourths of the CalChamber members are companies with 100 or fewer employees.

9.1

Our members are very concerned with the 2011 Draft Phase II Small MS4 General Permit. Many of our small business owners are confused by what they read and concerned that they will have to hire an environmental consultant to help them determine if they are subject to the Small MS4 Permit. Some are already permitted under the General Industrial Permit and are concerned that there may be conflicts between the two sets of permit requirements.

9.2

Further, the business community is worried that municipalities will be required to do site inspections, require installation, implementation and maintenance of 11 categories of stormwater Best Management Practices retroactively. The permit goes on to list the following categories of BMPs that must be implemented by business:

- a. Minimize Exposure
- b. Good Housekeeping
- c. Maintenance
- d. Spill Prevention and Response Procedures
- e. Erosion and Sediment Control BMPs
- f. Management of Runoff
- g. Salt of De-icing Material, Storage Piles or Piles Containing Salt
- h. Employee Training
- i. Non-Stormwater Discharges
- j. Waste, Garbage and Floatable Debris
- k. Dust Generation and Vehicle Tracking of Industrial Material

9.3

While many of the BMPs cited are actions that can be easily understood and implemented, others will require expertise beyond what the business has in-house or what municipalities have on staff. It is our belief that municipalities will have to hire experts and those costs will be passed on the businesses.

9.4

A cost benefit analysis has not been presented by the State Water Resources Control Board. It is difficult for us to comprehend the necessity of imposing these kinds of requirements on California's business community especially since California has the nation's second highest unemployment rate of 12%. It is

unrealistic to expect that our member companies can afford to implement these requirements, and pay both for their own consultant fees and the fees municipalities will undoubtedly impose. We respectfully request the State Water Resources Control Board to withdraw the draft permit and go back to the drawing board. Invite the stakeholders to participate in developing a permit that will achieve the goal of good water quality at a cost that is commensurate with its benefits.

Sincerely,



Valerie Nera
Policy Advocate

cc Tam Doduc, Member
Fran Spivy-Weber, Vice Chair

VN:jh