

February 29, 2008

Mr. Bruce Wolfe
Executive Officer
San Francisco Regional Water Quality Control Board
1515 Clay St., Suite 1400
Oakland, CA 94612

Attn: Dale Bowyer

Subject: Municipal Regional Stormwater NPDES Permit Tentative Order

Dear Mr. Wolfe:

The Contra Costa Council has serious concerns about the proposed Municipal Regional Stormwater Permit. We urge the Board to delay adoption of the permit and to direct its staff work with local affected agencies to reach consensus on a permit that will be improve water quality but still be flexible, affordable and cost effective.

The Contra Costa Council is a broad-based public policy organization with close to 400 members from business, education, labor, government and the nonprofit communities. Our mission is to promote economic vitality and quality of life for our region.

We support the objective of protecting the San Francisco Bay and our local creeks from the harmful impacts of runoff, litter and illegal dumping. We also support the objective of consolidating individual permits into one regional permit.

However, the current proposal contains extensive requirements that will impose costs far beyond the ability of local governments to fund. For Contra Costa County and its cities, the cost for monitoring and special studies alone would increase dramatically. Other new requirements such as new databases, capital expenditures for new street sweepers, significantly expanded public outreach, significantly expanded trash reduction and new stormwater runoff requirements for road maintenance projects will add additional millions of dollars in costs with no offsetting funding.

This occurs at a time when local government budgets are already strained to the breaking point. The downturn in the real estate market is requiring local communities to consider cutting essential services as both property tax and sales tax revenues fall. Municipal budgets are likely to be further challenged as the effects of the state budget trickle down to the local level. Nor can local communities look to the private sector to fund the expensive new requirements that would be imposed by this permit. Even if new fees could be levied on businesses without adversely impacting economic vitality, any fees must bear a nexus to the activity being assessed, and the cost of most of the activities required by the proposed permit will need to come from general revenues, not from individual businesses.



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It is also of great concern that significantly increased requirements are being imposed on regulated projects before the efficacy of the measures required by the previous permit has been adequately evaluated. There should be an objective demonstration of cost-effective environmental benefit prior to adding new mandates.

The Bay Area Stormwater Management Agencies Association (BASMAA) has submitted several suggestions to make the requirements more flexible and cost-effective. However, it does not appear that these suggestions have been given adequate consideration or incorporated into the proposed permit.

We strongly urge the Board to delay adoption of the permit and take the necessary time to work with the affected local agencies to develop a permit that will benefit water quality but be workable and cost effective. A good starting point for discussion would be the suggestions submitted by BASMAA.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink that reads "Linda Best". The signature is written in a cursive, flowing style.

Linda Best
President