



Public Workshop (11/20/12)
 Receiving Water Limitations Language
 Deadline: 11/13/12 by 12 noon
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Advocate for the Heavy Construction Industry

November 13, 2012

Jeanine Townsend
 Clerk to the Board
 State Water Resources Control Board
 1001 I Street, 24th Floor
 Sacramento, CA 95814



RE: Comment Letter –Receiving Water Limitations Workshop

The California Alliance for Jobs (CAJ) appreciates the opportunity to participate in the Receiving Water Limitations Language Workshop on November 20, 2012. CAJ represents 2,500 union construction contractors and 80,000 union construction members who build our state’s infrastructure and highways. The impact of the State Water Resources Control Board regulatory policies upon Caltrans operations and project delivery can be substantial and CAJ seeks to find policy solutions that protect California’s natural resources while still meeting our current and future infrastructure needs.

Our unease over the issue of receiving water limitation language contained in recently approved and pending MS4 permits has been detailed in both our September 2011 and June 2012 comment letters submitted to the board respectively. Many of our concerns center around the potential for open-ended litigation opportunities for third party interests that could be extremely costly for permitted MS4s, thus draining millions of tax payer resources away from permitted public agencies at a time when resources are so scarce.

Language that takes into account the 9th Circuit Court of Appeals recent decision and clearly defines a discharger’s end of pipe responsibility and legal liability would be a vast improvement and serve the greater public interest. Respected organizations such as the California Stormwater Quality Association have already conducted some excellent work in providing language that would be an excellent starting point of discussion on this issue.

We look forward to working with you future on this issue and developing language that meets the greatest public interest.

Michael P. Quigley
 Manager of Government and Environmental Affairs

Associated General Contractors of California	Operating Engineers Local Union #3	Engineering and Utility Contractors Association	No. California District Council of Laborers	Assoc. of Engineering Construction	Northern California Carpenters
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