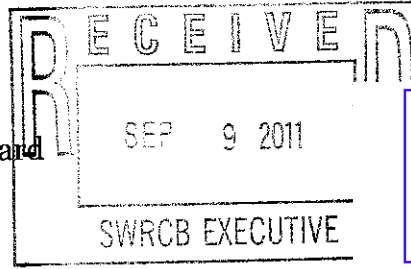




September 6, 2011



Jeanie Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95812

RE: Comments on Proposed Draft Small Municipal Separate Storm Sewer System (Small MS4) Storm Water General Permit

Dear Ms. Townsend:

I am writing on behalf of the California County Superintendent's Educational Services Association (CCSESA) to offer the following comments on the proposed draft Small Municipal Storm Sewer System (Small MS4) Storm Water General Permit released for public comment on June 8, 2011.

General Comments

CCSESA commends the Board for its decision not to automatically designate K-12 school districts and charter schools.

CCSESA's primary concern with the proposed draft Small MS4 is to address what we believe is a technical oversight, CCSESA requests that the permit language be amended to clarify that county offices of education like school districts and charter schools are not automatically designated, and so are treated the same as school districts and charter schools for the purposes of the permit.

Issue-

We note that the permit language references school districts and charter schools but does not reference County Offices of Education. County office of education are an integral part of California's school system, are funded from Proposition 98 funds like school districts, and are subject to funding reductions like school districts. County offices of education also serve critical student populations such as special education students and juvenile offenders.

CCSESA's Proposed Solution-

Included the following language in the permit where school districts and charter schools are referenced:

"K-12 school districts, county offices of education and charter schools"

Additionally, CCSESA is concerned about the cost of compliance for educational entities. Schools have experienced drastic reductions in state funding in the past four years, and we anticipate more fiscal challenges for schools in the coming years. While we recognize that cost will vary according to circumstance, the for Adequate School Housing (C.A.S.H.) estimates that the cost of compliance for schools would be \$5,000 to \$10,000 per school site in the first year of

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implementation, and \$30,000 to \$50,000 for centralized district activities. These estimates do not include the cost of water storage, filtration or other methods of improving water quality that might have been required.

CCSESA believes that schools simply cannot bear these additional costs. With over 1,000 school districts and other educational entities in California, the statewide cost of compliance would be significant. For this reason, CCSESA appreciates the Board's recognition of our fiscal challenges. In addition, CCSESA understands that "not automatically designated" is not the same as "exempt" in light of the fact that under the proposed draft Small MS4 schools are subject to Regional Water Quality Control Board authority. While we continue to be concerned about the potential for inconsistent application of policy by different Regional Boards, particularly in cases where schools have a close proximity to sensitive water bodies, we also understand that this is the reality of the current governance structure, and that all permittees face the same challenge.

CCSESA commends your staff in its ongoing effort to reach out to the education community, to take our concerns seriously, and to work with us to find solutions. Their good work is much appreciated. We thank you for your consideration of these comments.

Sincerely,

Michael Hulsizer, Chief Deputy for Governmental Affairs
Kern County Superintendent of Schools
On behalf of the California County Superintendents Educational Services
Association (CCSESA)

cc: Mr. Charles R. Hoppin, SWRCB
Ms. Frances Spivy-Weber, Vice Chair, SWRCB
Ms. Tam M. Doduc, SWRCB