

# County School Facilities Consortium

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Legislative Advocate:  
Anna Ferrera  
Murdoch, Walrath & Holmes  
1130 K Street, Suite 210  
Sacramento, CA 95814  
TEL (916) 441-3300  
FAX (916) 441-3893

June 24, 2009

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

Dear Ms. Jeanie Townsend:

On behalf of the County School Facilities Consortium (CSFC), an organization representing over 30 county offices of education with a focus on county school facilities, I am writing to express our concern regarding county schools that may be regulated under the State Water Resources Control Board's (SWRCB) revised Small Municipal Separate Storm Sewer Systems (Small MS4).

Specifically, CSFC believes that:

- The Construction General Permit (CGP) should include a grandfathering provision for projects currently permitted, or for which design has already been approved, and strongly urges the SWRCB to include an exemption for school construction projects in the queue.
- Numeric Effluent Limitations (NEL) should not be included in the CGP because they would cause significant confusion for schools to implement, as well as create a monetary liability under the mandatory minimum penalty provision under the water code.
- Post-construction requirements are inappropriate under the CGP, better placed in the context of the MS4 permits.

Finally, because county offices of education do not have independent sources of local school funding, such as from developer fees and local bonds, county school projects are often considered Financial Hardship under the State's School Facility Program. Financial Hardship projects are funded up to 100 percent from the state and have limited access to additional funds for redesigning projects or increased levels of oversight.

We urge the SWRCB to recognize the unique challenges that the school facilities community faces, as you develop the final version of the CGP.

Thank you for your attention to our concerns.

Sincerely,



Anna M. Ferrera

Public Comment  
Dft. Construction Gen. Permit  
Deadline: 6/24/09 by 5:00 p.m.

