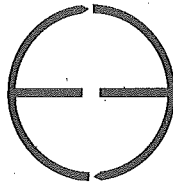


Walter McGuire
CHAIRMAN
Jose Mejia
VICE-CHAIRMAN
Gerald D. Secundy
PRESIDENT
William J. Quinn
CHIEF OPERATING OFFICER
Steve Gross
TREASURER
Randy Fischback
SECRETARY



California Council for Environmental and Economic Balance

100 Spear Street, Suite 805, San Francisco, CA 94105 • (415) 512-7890 • FAX (415) 512-7897



BOARD OF DIRECTORS

Linda Adams
Bob Antonopolis
William T. Bagley
Robert Balgenorth
Michael Barr
Jack Bean
Mike Beasley
Ed Bedwell
Joseph C. Bellas
Russ Burns
Steve Burns
Ken Casarez
John Chillemi
Michele Corash
Tim Cremins
Hal Dash
Bill Devine
Cesar Diaz
Greg Feere
Randy Fischback
Steve Gross
Michael Hertel
Fred John
James (J.P.) Jones
Kenneth L. Khachigian
John T. Knox
Kristen Korbus
Kirk Marckwald
Walter McGuire
Sunne McPeak
Jose Mejia
Cindy Montanez
Richard Morrison
Cressey Nakagawa
Joe Nuñez
George Plantka
Art Pulaski
Matt Rezvani
Mike Roos
Lanny Schmid
Gerald D. Secundy
Dan Skopec
Don Solem
Katherine Strehl
Minnie Tsunezumi
Victor Weisser

CONSULTANTS

Kendra Daljogo
THE GUALCO GROUP, INC.
Jackson R. Gualco
THE GUALCO GROUP, INC.
Robert W. Lucas
LUCAS ADVOCATES
Gov. Edmund G. "Pat" Brown
FOUNDING CHAIRMAN 1973

www.cceeb.org

November 13, 2012

Chairman Charlie Hoppin
Members of the State Water Resources Control Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Via email: commentletters@waterboards.ca.gov

RE: Comments Regarding Receiving Water Limitations Provisions of National Pollutant Discharge Elimination Systems (NPDES) Permits for Storm Water Discharges from Municipal Separate Storm Sewer Systems (MS4s) (Receiving Water Limitations Language)

Dear Chairman and Members of the California State Water Resources Control Board:

The California Council for Environmental and Economic Balance (CCEEB) is a non-partisan, non-profit coalition of business, labor and public leaders that advances strategies for a strong economy and a healthy environment. On behalf of CCEEB, we want to thank the State Water Resources Control Board (SWRCB) for this opportunity to comment on the Receiving Water Limitations language.

After reviewing the Issue Paper prepared by the SWRCB for the November 20, 2012 Workshop on this topic, we support Alternative 5, which states "This alternative would provide a safe harbor to dischargers complying with the implementation provisions of a TMDL or engaging in the iterative process to address exceedances caused by wet or dry weather discharges" with the following additional suggestions:

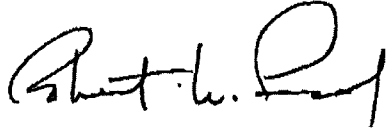
- This issue should be broadened beyond just MS4 stormwater discharges to include other stormwater and non-stormwater NPDES discharge permits that also rely on an iterative process to comply with technology-based permit requirements.
- The Alternatives proposed in the Issue Paper should not be solely limited to situations where a TMDL exists for the pollutant for which the receiving water objective is exceeded since similar compliance issues could exist for pollutants that are not on a 303(d) list, or if on a 303(d) list for which a TMDL has not been developed or for which a TMDL alternative process is or will be utilized.

If Alternative 5 is not the selected alternative, we respectfully request that the alternative that is chosen include language that does not preempt the ability of the SWRCB or a RWQCB to initiate an enforcement action.

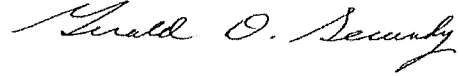


Thank you for considering our comments. If you wish to discuss this matter further, please contact Bob Lucas at 916-444-7337.

Sincerely,



Robert W. Lucas
Waste & Water Quality Project Manager



Gerald D. Secundy
President

cc: Matthew Rodriguez, Secretary for California Environmental Protection Agency
Gordon Burns, Undersecretary for California Environmental Protection Agency
Jackson Gualco, The Gualco Group, Inc.