



**League of California Cities  
1400 K Street, 4<sup>th</sup> Floor  
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**California State Association of Counties  
1100 K Street, Suite 101  
Sacramento, CA 95814**

August 29, 2005

**Sent Via Email**

Bruce Fujimoto, Chief  
Storm Water Program  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, Ca. 95812-0100

RE: SWRCB Process for Investigating Quantitative Measurements for Storm Water Program Compliance

Dear Bruce:

On behalf of the League of California Cities and the California State Association of Counties, we offer these comments regarding the Board's process to evaluate the feasibility of developing quantifiable measures, including numeric limits for stormwater compliance. Besides these comments, we note that we generally concur with the comments provided by the California Stormwater Quality Association (CASQA) in their August 15 letter.

The issue of requiring numeric limits for stormwater permits is one of great interest to cities and counties. Thus, our organizations and member agencies have serious concerns that any process used to evaluate the feasibility of numeric limits is well thought out and constructed so that the results are based upon a fair and open process that asks the appropriate questions. Therefore, we greatly appreciate the opportunity to provide input and the fact that the Board is holding a public meeting to obtain other perspectives on the "Question", as it has been called.

In general, our two organizations do not favor requiring numeric limits for stormwater permits. The League's "Summary of Existing Policy and Guiding Principles" includes the following statement: "The League generally opposes legislation that requires the use of numeric limits in waste discharge permits, especially in storm water permits, because of the difficulty in meeting them, problems with exceeding them, the cost and potential enforcement impacts." This position is based upon concerns about requiring numeric limits – especially for stormwater permits – without considering the complexity of the

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cost of compliance, technology availability and effectiveness, and the relative improvement in water quality. CSAC's membership has similar concerns with numeric limits.

We understand that the "Question", as CASQA's letter suggests, is designed to help frame the issue in a way that will provide meaningful results. We agree with CASQA that it is important for the Board to develop and adopt a Statewide Stormwater Policy and that understanding the implications of requiring numeric limits should be considered in the context of a Statewide Stormwater Policy.

The League and CSAC recognize the potentially significant ramifications and impacts that could result from the "Question" being considered by the Blue Ribbon Panel. Thus, we urge the Board to include additional stormwater program, statistical and economic expertise on the Panel conducting the research. If the results of the panel and the "answer" or "answers" to the "Question" are to be viewed as credible by the regulated community in general and cities and counties specifically, then it is important that the research design be constructed properly.

In conclusion, we observe that while we have serious concerns about and opposition to requiring numeric limits on stormwater permits, we believe that if the Board is going to move ahead and evaluate the pros and cons of requiring such compliance, that the process would benefit from incorporating the types of suggestions included in CASQA's letter and our own observations.

We hope these comments are viewed as constructive. Our organizations will be happy to participate in the Board's future discussions.

Sincerely,



Yvonne Hunter  
Legislative Representative  
League of California Cities



Karen Keene  
Legislative Representative  
California State Association of Counties

Cc: Chair and Members, State Water Resources Control Board  
Alan Lloyd, Secretary, California Environmental Protection Agency  
Celeste Cantu, Executive Officer, SWRCB  
Tom Howard, Deputy Director, SWRCB  
Geoff Brosseau, Executive Director, CASQA