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SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD

2013 MAR 26 PM 2 41

March 22, 2013

Mr. David Gibson
California Regional Water Quality Control Board ~ San Diego Region 9
9174 Sky Park Court, Suite 100
San Diego, CA 92123

SUBJECT: Municipal Storm Water Permit

Dear Mr. Gibson:

The Vista Chamber of Commerce believes that it would be prudent to postpone any approval of the Municipal Storm Water Permit until the California State Water Resources Control Board provides direction on the Receiving Waters Limitation wording.

Locally and on a statewide level there continue to be numerous outstanding issues with this proposed permit. Our particular concerns involve the requirement to retain onsite almost all storm water runoff; the removal or modification of hydromodification management exemptions; the prohibition of discharges that "cause or contribute" to an exceedance of a water quality objective (based on a Basin Plan for the Region that is outdated); and others.

It is questionable as to whether these water quality objectives are even achievable. However, we do know for certain, based on the Regional Board's own studies, that significant cost in the range of billions of dollars will be incurred as a result of copermitttees trying to comply with the proposed regulations if implemented. The provision creates strict liability for the Copermitttees, subject to mandatory minimum penalties. As such, the Regional Water Board does not have discretion to ignore these violations. Moreover, because this permit is also an NPDES permit, these strict liability provisions are also enforceable by Citizen Suit.

The Vista Chamber believes it would be more productive to postpone any hearing in order to continue working with all stakeholders to define goals that are achievable and do not have detrimental financial impacts to local businesses and governmental services.

Sincerely,

A handwritten signature in black ink, appearing to read "Bret Schanzenbach", with a long horizontal line extending to the right.

Bret Schanzenbach
Chief Executive Officer