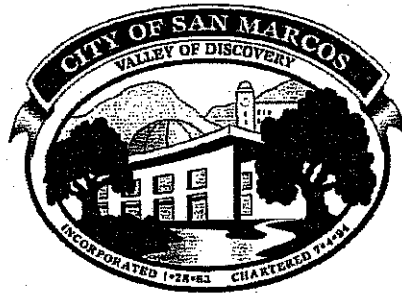


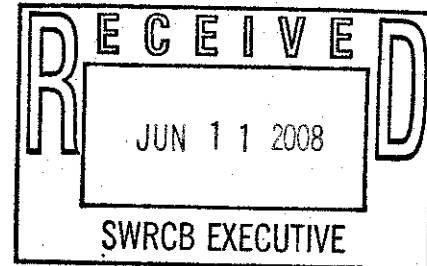
1 Civic Center Drive
San Marcos, CA 92069-2918



Telephone
760.744.1050
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June 11, 2008

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



RE: Opposition to Draft General Construction Permit

Dear State Water Resources Control Board Members:

Please accept this letter on behalf of the City of San Marcos commenting on the Draft General Construction Permit issued by the State Water Resources Control Board.

We seek to have the cleanest possible water and take our regulatory responsibility under the National Pollution Discharge Elimination System (NPDES) permit seriously. San Marcos views this Draft General Construction Permit ("Draft Permit") as flawed and poorly timed. San Marcos opposes the Draft Permit because it would impose fiscal impacts on cities and increase the burden on staff through cumbersome and complicated oversight of builders.

The Draft Permit specifies actions and steps for construction projects that will require San Marcos to add personnel or contract out to have the prescribed level oversight of construction activities. This additional cost without additional funding to pay for it is untenable for San Marcos. As currently written, the Draft Permit would impose time delays on all maintenance and construction projects of more than one acre. Estimates of additional costs of the monitoring alone would run into the hundreds of thousands of dollars for San Marcos and impact individual project dependent upon their size.

The Draft Permit will confuse the construction process by allowing changes to projects midstream and would usurp local land use decisions after they have been made and acted upon by the locally-elected legislative body. San Marcos maintains an active storm water protection program and acts to enforce the mandates of both the State Water Resources Board and the San Diego Regional Water Quality Board but forcing changes to an approved project – one that has been vetted through the San Marcos comprehensive development review process – is not something we can support.

It is for these reasons that we oppose the current Draft General Construction Permit.

CITY COUNCIL:
Jim Desmond, Mayor

Hal Martin, Vice-Mayor

Mike Preston

Chris Orlando

Rebecca Jones

San Marcos suggests that rather than proposing complicated and costly programs that the State Water Resources Control Board allows the regional bodies to act on specific problems and specific projects. The one-size-fits-all approach is a problem looking for a solution and one that appears to be based on flawed control targets without any consideration to the financial impacts to local governments.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Malone", with a long horizontal flourish extending to the right.

Paul Malone
City Manager

PM:dw