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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

Notice of Public Hearing to Consider Adoption - National Pollutant Discharge Elimination System (NPDES) Permit and Waste Water Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining Watersheds within the San Diego Region – ORDER NO. R9-2013-0001 (Tentative Order)

Mr. Gibson:

The City of Escondido (City) received the recent release of the “Notice of Public Hearing to Consider Adoption of the Tentative Order” on March 6, 2013. The City co-drafted comments which appeared with comments from other jurisdictions in San Diego County’s letter regarding the Administrative Draft Order. Additionally, several similar letters were submitted to the San Diego Regional Water Quality Control Board (Regional Board) from the Building Industry, Community Planning Groups, Environmental Organizations, Engineering Organizations, and the State and Federal Governments among others. Overall, approximately 90 letters from a broad range of interested parties were submitted to the Regional Board voicing concerns and questions regarding the Administrative Draft Order.

To date, the newest edition of the Tentative Order (third edition), which will be proposed for adoption on April 10-11, has not been released for public review. Depending on the timing of the Tentative Order’s release, copermittees will have no more than a few weeks to review it prior to the public hearing to consider adoption.

The City greatly appreciated the Administrative Draft Order public review process (i.e., workshops) employed in 2012. This process allowed for all interested stakeholders to discuss the Administrative Draft Order with Regional Board Staff, the building industry, MS4 Dischargers, and environmental organizations. The City believes the workshop process should continue with the next draft of the Tentative Order to address the unresolved issues raised by all parties. The City is committed to the goal of improving water quality through NPDES permit programs that have been developed by the

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Regional Board. However, dialog between the stakeholders and Regional Board staff is critical at this stage and adoption of the order without further collaboration will affect the success of the program.

The financial burden of this Order is significant. As disclosed by the Regional Board's own studies, compliance with the proposed Tentative Order will cost the region's tax payers billions of dollars. The City strives to manage tax dollars efficiently, and believes that compliance with the most recent draft of the Order is not an efficient or effective use of tax payer money.

The City believes it is very important to develop a MS4 permit that incorporates justified regulations which work to meet the overall goals of the program. Previous collaboration efforts (i.e., 2012 workshops) among stakeholders and regulators during the drafting period produced an excellent template for accomplishing these goals.

The City believes that adoption of the proposed Tentative Order should be postponed, and that the Regional Board should reestablish open communication and collaboration with all applicable stakeholders (i.e., workshops). This will allow for all parties to define goals that are achievable, streamline permit development, and will lessen the financial impact of the Tentative Order.

The City thanks you for your consideration of this request. If you have any questions please contact Mr. Jeff Warner, acting Stormwater Program Manager, at 760-839-4528 or jwarner@escondido.org.

Respectfully,



Sam Abed
Mayor