



SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD

2013 JAN 10 AM 11 28

January 8, 2013

Ms. Laurie Walsh
San Diego Regional Water Quality Control Board
9174 Sky Park Circle, Suite 100
San Diego, CA 92123

RE: Tentative Order No. R9-2013-0001/Municipal Separated Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region

Dear Ms. Walsh:

Thank for the opportunity to provide comments on Tentative Order No. R-9-2013-0001. Our company is close to completing entitlements for a sustainable, walkable master planned community within the Otay Ranch. We have been processing these entitlements for the past four years and have expended millions of dollars planning a community that protects the environment, and specifically, water quality.

Our project is located north of the Otay River Valley and has been designed consistent with the permit approved by the Board just a year ago. In following the requirements in the current permit, we have devised a plan that cleans all project storm water runoff prior to introducing into the Otay River. This plan is contingent upon maintaining the hydromodification exemption for the Otay River.

The Otay River exemption was put into place based on the scientific and technical expertise of the Hydromodification Task Force. This committee, representing environmental and engineering experts, determined that limiting runoff to certain bodies of water and rivers within your jurisdiction would not be beneficial to the health of those watersheds. Due to the influence of the Otay Lakes and Dam upstream of our project, your Board approved an exemption for the Otay River.

If the Otay River exemption is removed from the new Tentative Order, our land plan would need to be dramatically altered, in effect, wiping out years of planning, engineering and environmental work.

The proposed Tentative Order also calls for retention of the 24 hour 85th percentile storm event onsite. Retention flows from the majority of storm events will adversely impact the Otay River watershed that is described as being "starved" for runoff in the Otay River Watershed Management Plan. Since infiltration is infeasible on our site due to soil conditions, the new permit proposes to arbitrarily increase our bio-retention facilities by 25%, a number that does not appear to have any scientific basis but would severely impact our land plans.

We certainly appreciate efforts to identify regional solutions through implementation of the Watershed Improvement Plans; however, we must be allowed to operate under the current permit until the Watershed Improvements Plans determine the best regional solutions for each watershed. Specifically, we ask that the Otay River hydromodification exemption remain in place and the retention requirements not be added to the permit until and if the Watershed Improvement Plans determine if retention is beneficial to the Otay River watershed.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ranie L. Hunter". The signature is written in black ink and is positioned above the typed name.

Ranie L. Hunter
Executive Vice President