



January 9, 2013

State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> floor  
Sacramento, CA 95814

**CITY COUNCIL**

Roger S. Aceves  
*Mayor*

Michael T. Bennett  
*Mayor Pro Tempore*

Edward Easton  
*Councilmember*

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*Councilmember*

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*Councilmember*

**CITY MANAGER**  
Daniel Sinaer

RE: Inclusion of Appendix J in Draft Phase II Municipal Stormwater Permit

Dear Chairman Hoppins, and Members Of the Board:

The City of Goleta appreciates the opportunity to meet with Board Members to share our concerns about the third draft of the Phase II stormwater permit (Revised Phase II Permit) for small municipal separate storm sewer systems. Specifically, we are concerned about the inclusion of the Central Coast Regional Water Quality Control Board's Post-Construction Stormwater Management Requirements For Development Projects in the Central Coast Region, as Appendix J in the Revised Phase II Permit. Through its inclusion in the Revised Phase II Permit, a dual standard will be established in the State, whereby Region 3 municipalities will be subject to the post-construction requirements contained therein, while the remainder of the state will have to comply with the post-construction requirements contained within Section E-12 of the Draft Permit.

The Central Coast post-construction requirements were approved by the Regional Water Board on September 6, 2012 (Resolution No. R3-2012-0025). However, while stakeholders had been part of a public review process, these criteria were developed by Regional Board staff without public input and were released after the public comment period had ended. The stakeholders were not given adequate time to review the proposed criteria prior to adoption.

In October 2012, Goleta, and the Cities of Lompoc and Watsonville filed separate Petitions for Review challenging the Central Coast Water Board's adoption of Resolution No. R5-2012-0025. If the Board adopts the Revised Phase II Permit as proposed, the petitions would

be denied and any opportunity to resolve our concerns would be effectively eliminated.

We believe the Central Coast post-construction requirements are in many cases technically infeasible, and will negatively impact the City's future development and redevelopment opportunities. We further believe that any marginal increase in water quality that may result from the application of these criteria, as opposed to those contained in Section E.12 of the Revised Phase II General Permit, does not justify the additional expense and effort that will be required.

For these reasons, and additional reasons included in the attached list, the City of Goleta respectfully requests that the State Water Board modify the Revised Phase II Permit, by removing the Central Coast post-construction requirements contained in Appendix J of the Draft Permit, and applying the E.12 criteria State wide. We believe that the protection of water resources that can be achieved by implementation of Section E.12 of the Revised Phase II Permit, and would achieve a better balance between the need to protect watershed processes and the economic impacts to and resources of the regulated jurisdictions.

Sincerely,

Roger Aceves  
Mayor

Enclosures: Attachment A: