

September 15, 2014

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Post Office Box 100
Sacramento, CA 95812-0100
Via E Mail: commentletters@waterboard.ca.gov



**Orange County
Chapter**

Re: Comments on A-2259; - September 23, 2014 Board Meeting. Petition of Foothill/Eastern Transportation Corridor Agency -- Waste Discharge Requirements Tentative Order No. R-9-2013-0007 – Tesoro Extension Project – State Route 241

Building Industry Association
of Southern California

Dear Ms. Townsend:

The Southern California Association of Governments (SCAG) recently made a presentation to the community and noted that by 2035 we will have an additional 4.2 million residents in Southern California. To put that in perspective, that is the equivalent of adding a city the size of Las Vegas every three years for two straight decades.

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This type of growth is going to occur whether we plan appropriately for it or not.

At the Building Industry Association of Southern California, our mission is to champion new development including housing as the foundation of vibrant and sustainable communities. The Orange County chapter of BIA alone represents more than 600 companies and 100,000 employees in the building industry. We're committed to developing the housing needed to accommodate the demographic changes that are already upon us. In order to develop sustainable communities, responsibly planned infrastructure is a crucial component. We rely on regulatory agencies like yours to work with us as partners to ensure that the infrastructure that we so desperately need is built to appropriate environmental standards.

Naturally, we were quite surprised when the San Diego Regional Water Quality Control Board denied the permit application for the 241 Tesoro Extension, which its staff recommended approval for serving as a gold standard for sustainable road construction.

We were perhaps even more surprised to see the State Water Resources Control Board's draft Tentative Order that provided authority to the Regional Board to

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consider potential future infrastructure improvements that are not included in an application (see Page 9 & 10 of the Draft Order).

Such an order could conceivably allow regional boards to selectively choose which projects they favor and approve them as identified within the application while denying other projects based on imagined potential extensions or expansions. Furthermore, the draft order appears to be over reaching into areas already governed by the California Environmental Quality Act (CEQA) as administered by project lead agencies.

This expansion of powers will undoubtedly have a chilling effect on the development and financing of future infrastructure projects in California. **Please reconsider your Tentative Order and remove this regulatory reach.**

Sincerely,

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

Mike Balsamo
Chief Executive Officer
Building Industry Association, Orange County Chapter