

STATE CAPITOL
SACRAMENTO, CA 95814
(916) 651-4038
(916) 446-7382 FAX

DISTRICT OFFICES
1910 PALOMAR POINT WAY
SUITE 105
CARLSBAD, CA 92008
(760) 931-2455
(760) 931-2477 FAX

27126A PASEO ESPADA
SUITE 1621
SAN JUAN CAPISTRANO, CA 92675
(949) 489-9838
(949) 489-8354 FAX

California State Senate

SENATOR
MARK WYLAND

THIRTY-EIGHTH SENATE DISTRICT



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December 12, 2012

Mr. Wayne Chiu, P.E.
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

**Re: Comment—Tentative Order No. R9-2013-001, Regional MS4 Permit,
Place ID: 786088Wchiu**

Dear Mr. Chiu:

I am responding to the San Diego Regional Water Quality Control Board's Tentative Order R9-2012-0011 ("Permit") dated October 31, 2012. After reviewing the proposed permit, I am concerned it will impose expensive and burdensome regulations on local governments, businesses, and residents throughout San Diego County. As a member of the legislature, I too am interested in improving our regional water quality. However, we must use our limited resources wisely, and ensure that our efforts produce the desired outcome of improving water quality.

I applaud the Board's inclusion of Water Quality Improvement Plans (WQIP) as a first step in developing a cost-effective approach. However, I am concerned that the costs associated with enforcing and implementing the permit will have a negative impact on many businesses within the region. My concerns include: 1) the strict liability for exceeding water quality objectives; 2) the additional and changing requirements for development projects, impacting items such as storm water retention and discharge; 3) the preemption of WQIPs by new and changing regulatory requirements prior to allowing the WQIPs to be developed and implemented; and 4) the lack of reliable funding sources to implement these regulatory changes.

I urge you to adopt final permit language that is evidence-based and both environmentally and economically sustainable. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Mark Wyland".

MARK WYLAND
Senator, 38th District