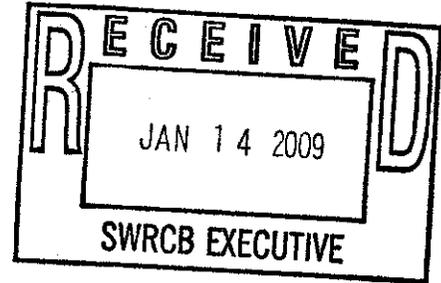




THE CITY OF SAN DIEGO

January 14, 2009

Jeanine Townsend, Clerk of the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
commentletters@waterboards.ca.gov



Subject: City of San Diego Comments Letter – Water Quality Enforcement Policy

Dear Ms. Townsend:

The City of San Diego, Storm Water Department, is pleased to provide the State Water Resources Control Board (State Board) with comments regarding the Water Quality Enforcement Policy. We support the State Board's efforts to make the enforcement policy consistently implemented across the state, while allowing for individual circumstances to be considered. Additionally, we were curious as to why this policy's final public comment period was scheduled for less than 45 days.

When assessing Potential of Harm Factors (Page 12 and 13), we recommend that Factor 2 be used for all of the five ranking criteria shown in Factor 1. When reviewing the Adjustment Factors (Page 17) to assess the violator's conduct, we recommend a limit of 10 years. This limit is consistent with data to be accepted in the assessment of a site.

The draft Water Quality Enforcement Policy does make references to economic assessments on pages 11 and 20. We highly recommend that these economic assessments be conducted by experts in the field of economics. The effects of conducting a thorough economic assessment gives a full and complete perspective on the situation, and is more luckily to gain the support of all stakeholders involved.

Your consideration and approval of our recommendations and requests is greatly appreciated. If you have any questions, please contact me at 858/541-4320 or Ruth Kolb at 858/541-4328.

Sincerely,


Kris McFadden
Deputy Director

cc: File
Tony Heinrichs
Ruth Kolb



Storm Water Department

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