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Item No. 13
Supporting Document No. 21

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December 8, 2009

Mr. David Gibson
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4353

Via Email: dgibson@waterboards.ca.gov

**Subject: Revised Tentative Order No. R9-2009-0094 NPDES Permit No. CAG679001
CRU: Reg Measure ID 367377: MMATA**

Dear Mr. Gibson:

The Vista Irrigation District (District) has learned this day that the San Diego Region of the California Regional Water Quality Control Board (Regional Board) has declined the request of the San Diego County Water Authority (SDCWA), acting in its role as lead representative of the San Diego area Technical Advisory Committee (TAC), to postpone consideration of the above subject Revised Tentative Order (RTO). This delay was requested to allow the TAC to review, prepare considered comments, and coordinate with the Regional Board to develop NPDES Permit requirements for the discharge of potable water that both protect the beneficial uses of natural waters and represent an efficient and workable framework for the region's potable water purveyors.

The District cannot understand why your staff, after investing months in apparently fruitful coordination with the TAC, is recommending that the Regional Board adopt a significantly different RTO than what had been discussed with the TAC as late as September 2009. At that time, Regional Board staff had represented to the TAC that the Regional Board would take up consideration of further RTO revisions in 2010, and agreed that the Regional Board would continue to work collaboratively to develop a mutually acceptable RTO.

In its letter of December 1, 2009, Regional Board staff transmitted to the TAC a significantly modified version of the RTO, requiring that any comments must be submitted to the Regional Board not later than December 8, 2009, and that the Regional Board would consider adoption of the RTO at its December 16 meeting. Considering that the RTO is 84 pages of complex and highly technical permit requirements, that the TAC represents 24 diverse agencies serving 3 million residents, and that this abrupt change in direction was announced with little warning at the height of the holiday season, the District believes that the actions of the Regional Board are contrary to the public interest.

The District requests that the Regional Board heed the appeals of the SDCWA, on behalf of the TAC, to delay adoption of the RTO and return to its commitment to work collaboratively with the TAC to develop an RTO that will serve as a model of rulemaking that will serve the public interest.

With much concern,

Roy A. Coox
General Manager