



# city of san luis obispo

OFFICE OF THE CITY COUNCIL  
990 Palm Street ■ San Luis Obispo, CA 93401-3249 ■ 805/781-7119

August 29, 2005

Kelly McCarthy Sutherland, Esq.  
Lombardo & Gilles, PC  
318 Cayuga Street  
Salinas, CA 93901

Re: Monterey Bay Area Communities, Draft Policy Statement Regarding  
Protection of Areas of Special Biological Significance - Support

Dear Ms. Sutherland:

I am writing to express the City of San Luis Obispo's support of the Draft Policy Statement Regarding Protection of Areas of Special Biological Significance (ASBS) as proposed by the Monterey Bay area communities. The approach included in the proposed draft policy statement takes positive and reasonable steps to implement measures that will have a positive effect on the ASBS resource.

The interpretation by the Central Coast Regional Water Quality Control Board (CCRWQCB) of the Ocean Plan's prohibition of discharge of pollutants to an ASBS will result in the Monterey Bay area communities facing an unachievable regulation that is solely policy-based and that does not provide for any consideration of the actual affects of storm water or other discharge to the ASBS. This type of interpretation is counter-productive to the concept of the regulatory agencies working with regulated communities for the betterment of the ASBS. While San Luis Obispo does not discharge to an ASBS, we have seen a similar interpretation of the Inland Surface Waters Plan (California Toxics Rule) and other recent regulations, and find this approach unworkable and frustrating.

The science and objective-based approach proposed in the Draft Policy Statement provides needed policy and implementation guidance to regional boards. The proposed approach includes stakeholders in a collaborative approach to the improvement of water quality and protection of resources. The State Board should consider the approach proposed by the

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Monterey Bay area communities as a model approach to be followed by agencies across California charged with regulating water quality.

Sincerely,

A handwritten signature in black ink that reads "David F. Romero". The signature is written in a cursive, flowing style.

David F. Romero

Mayor

cc: City Council  
Ken Hampian  
Wendy George  
John Moss  
Jonathan Lowell  
Neil Havlik