



Signed Certified Statement

San Diego County Regional Airport Authority

Storm Water Management Plan Report March 2008

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted, is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Date: March 21, 2008

Signature:

A handwritten signature in black ink, appearing to read "P. Manasjan", written over a horizontal line.

Printed Name: Paul Manasjan

Title: Director, Environmental Affairs Department

March 24, 2008

Certification of Adequate Legal Authority to Implement and Enforce the Requirements of 40 CFR 122.26(d)(2)(i)(A-F) and RWQCB Order R9-2007-0001

The San Diego County Regional Airport Authority (Authority) submits this certification in its capacity as a Copermittee under San Diego Regional Water Quality Control Board (RWQCB) Order No. R9-2007-0001, in accordance with Section C.2 of that Order.

Certification

The undersigned chief legal counsel of the Authority does hereby certify that the Authority has adequate legal authority to implement and enforce each of the requirements contained in 40 CFR [Code of Federal Regulations] 122.26(d)(2)(i)(A-F) and Order No. R9-2007-0001.

Authority Department Activities [Section C.2.a. of the Order]

Section 2, Tables 1 and 2, and Figure 9 of the Authority's Storm Water Management Plan (SWMP), dated March 2008, and of which this statement is made a part, provides identification of those departments which conduct urban runoff, as well as the roles and responsibilities of those departments and the identification of key personnel.

Citation of Urban Runoff Related Ordinances [Section C.2.b. of the Order]

As noted in Section 2.2.1 of the SWMP, the San Diego County Regional Airport Authority Act of 2001 grants the Authority land use planning authority. In addition, Article 8.7 of the Authority Code, known as the San Diego County Regional Airport Authority Storm Water Management and Discharge Control and the Storm Water Code sets forth uniform requirements and prohibitions for dischargers and places of discharge to the storm water conveyance system, and receiving waters, necessary to adequately enforce and administer all laws and lawful standards and orders or special orders, that provide for the protection, enhancement and restoration of water quality.

The Authority seeks to the attainment of the following objectives as stated in the Storm Water Code:

- To reduce stormwater runoff pollution;
- To reduce non-stormwater discharge to the stormwater conveyance system and receiving waters to the maximum extent practicable;
- To comply with all federal and state laws, lawful standards and orders applicable to Stormwater and urban runoff pollution control;

- To prohibit any discharge which may interfere with the operation of, or cause damage to the stormwater conveyance system, or contribute to the impairment of the beneficial use or violation of a water quality objective of the receiving waters;
- To prohibit illegal discharges and illicit connections to the stormwater conveyance system and receiving waters; and
- To develop and implement effective educational outreach programs designed to educate the public, Authority employees and tenants on issues of stormwater and urban runoff pollution prevention.

The Storm Water Code provides for the prevention, control, treatment, diversion and regulation of discharges to the stormwater conveyance system and receiving waters, through a program of education and enforcement of general and specific prohibitions and requirements. The Storm Water Code applies to all dischargers and places located on property within the Authority's jurisdiction that discharge stormwater or non-stormwater into any storm water conveyance system or receiving waters.

Reasons these Ordinances are Enforceable

These ordinances are enforceable because the Authority has the authority under the statutes of the State of California to enact and enforce these ordinances, and because these ordinances were duly enacted. These ordinances contain specific enforcement provisions and/or are enforceable under the generally applicable enforcement provisions of the Authority Code.

The President/CEO of the Authority or his/her designated representative(s) is authorized to enforce the Authority Storm Water Ordinance.

How Ordinances are Implemented and Appealed [Section C.2.d. of the Order]

Some of these ordinances are implemented through approval programs and some are implemented as regulatory programs. Under each ordinance, the Executive Director of the Authority or his/her designee is authorized and directed in each ordinance to take the actions contemplated by the ordinance, e.g., to consider evidence and make findings, to issue or deny approvals, to impose conditions on projects, to inspect, to take enforcement action, etc.

The Authority Storm Water Code is the principle Authority ordinance addressing urban runoff. This ordinance is regulatory and applies to all development projects and to all new and existing facilities in the Authority's jurisdiction, whether or not Authority approval is required. The Storm Water Code contains discharge prohibitions and BMP requirements. This ordinance also authorizes the Authority to require the submission of Storm Water Pollution Prevention Plans (SWPPPs).

Other Authority programs and contracts require compliance with the Storm Water Ordinance as a condition for approval. For example, development project proponents are required to comply with the Storm Water Ordinance before discretionary approvals are given or recommended. Several Authority departments may impose specific conditions of approval consistent with the Storm Water Ordinance.

All Authority development and environmental programs are also implemented in part through the application of the CEQA process to proposed projects.

Authority ordinances are subject to a public notice and comment process prior to enactment. Enacted Authority ordinances can be challenged by timely filing writs of mandate in Superior Court. The initiative process can also be used to challenge enacted ordinances. The imposition of administrative penalties under these ordinances (where applicable) can be appealed to the courts. Trial court decisions to impose civil penalties or to grant injunctive or other relief can also be appealed.

Administrative and Legal Procedures [Section C.2.e. of the Order]

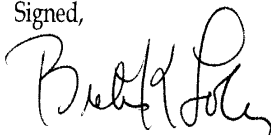
The Authority has the legal and administrative procedures listed below in place to mandate compliance with urban runoff related ordinances and programs.

- Call for Storm Water Pollution Prevention Plans
(Storm Water Control, Authority Code, Article 8, Part 8.7)
- Infraction citations/prosecution (Storm Water Control, Authority Code, Section 8.76)
- Nuisance abatement procedures (Storm Water Control, Authority Code, Section 8.76)
- Civil actions (Storm Water Control, Authority Code, Section 8.76)

The Authority can issue administrative orders without going through the Court system. The Authority cannot issue injunctions, but can seek injunctions in court.

In closing, the Authority looks forward to working with you, your Board, and Board staff on urban runoff related matters.

Signed,



Breton K. Lobner
General Counsel
San Diego County Regional Airport Authority