



Dayton Area
Chamber of Commerce

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www.daytonchamber.org

January 26th, 2015

Tammi Clements, Director
City of Dayton, Department of Water
320 West Monument Ave.
Dayton, OH, 45402

Dear Director Clements,

As the largest regional business advocate in the greater Dayton region, the Dayton Area Chamber of Commerce represents nearly 2,900 businesses and organizations across nine counties in southwestern Ohio. Beginning in May, 2014, the Chamber has hosted a series of roundtables and strategy sessions with our members and leaders from the business community concerning the proposed changes to the City of Dayton's Source Water Protection Program. These sessions provided an opportunity for business owners to have a meaningful and open dialogue with City of Dayton water department & economic development officials about regulations that impact their daily operations.

From those sessions, we heard time and time again from our members that flexibility to safely and responsibly grow and expand business operations within the Source Water Protection Area (SWPA) was the top concern relating to proposed regulation changes. For the businesses that are located in the SWPA, economic development and environmental protection are not mutually exclusive goals. Since the inception of the Source Water Protection Program, the vast majority of businesses within the designated SWPA have worked with city officials to ensure environmental standards are being met, as evidenced by the fact that there have been no fines levied against businesses for SWPA regulation violations in the history of the program and the fact that the same production wells are still in use.

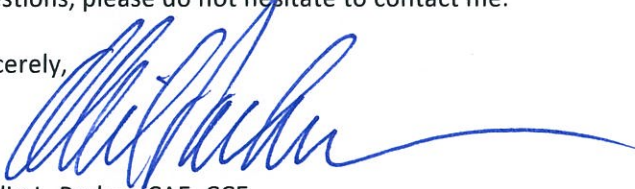
Yet, historically, these same businesses have met repeated resistance and obstacles when seeking to expand and grow their operations within the City of Dayton. As the roundtables and strategy sessions held throughout the summer of 2014 displayed, the business community strongly supports the introduction of some flexibility and equity into the Source Water Protection regulation process. We believe that the City of Dayton Department of Water clearly heard the input of the business community and worked to incorporate this input into a new draft of the SWPA proposed changes, released on November 12, 2014.

To this end, the Dayton Area Chamber of Commerce has endorsed Source Water Protection Proposal Revisions issued in November 2014 with the following focus areas outlined below:

- The Dayton Chamber urges the Water Department and Board of Zoning Appeals to work with the business community to ensure that the zoning application process does “work at the speed of business” and provides an unambiguous, concise and streamlined avenue for businesses to pursue growth opportunities. Additional feedback WILL need to be provided by the business community during the creation and adoption of the new “variance application”.
- We strongly support the continued inclusion of both the minor variance process, which allows for direct approval for TDMI requests less than 10,000 pounds by the Zoning Administrator as well as the regular variance process which must be approved by the Board of Zoning Appeals.
- The Chamber continues to advocate for a small business representative on the EAB, as recommended by the Water Department. It is important that a seat be reserved for small business representation on the EAB as it ensures that businesses will be informed of proposed regulations and be part of the ongoing dialogue regarding policies that impact their daily operations.
- We strongly support the elimination of the “transfer program” provision originally proposed in May, 2014. After extensive deliberation, this proposed program to incentivize the “transfer” of pounds via a cap and trade style program is not feasible considering the current TDMI levels. The transfer process does not adequately address the need for flexibility for business growth.
- Building upon the open dialogue established between the business community and the water department during these policy deliberations, we encourage the use of the Well-Field Protection fund to provide ongoing risk management training and best-practices support for businesses located within the SWPA.

Again, thank you for your time and efforts engaging the input of the business community. If you have any questions, please do not hesitate to contact me.

Sincerely,



Phillip L. Parker, CAE, CCE

President & CEO

Dayton Area Chamber of Commerce

cc: Mayor Nan Whaley

Commissioner Joey Williams

Commissioner Matt Joseph

Commissioner Dean Lovelace

Commissioner Jeffrey Mims