From:	Steve Greyshock
To:	Berchtold, Kurt@Waterboards
Cc:	Fischer, Adam@Waterboards; Lacy Kelly; Steve Greyshock; David Vazquez
Subject:	ACC-OC - MS4 Draft Permit Questions
Date:	Sunday, May 18, 2014 8:31:46 PM

Mr. Berchtold -

Please accept the following questions from the Association of California Cities - Orange County (ACC-OC) on the draft MS4 permit into the public record. We are eager to work through these questions and issues with the Regional Board and appreciate the opportunity to comment.

Steve Greyshock

For the Association of California Cities - Orange County

Mr. Kurt Berchtold, Executive Officer

Santa Ana Regional Water Quality Control Board

3737 Main Street, Suite 500

Riverside, CA 92501

Re: North Orange County MS4 Permit Workshop

Dear Mr. Berchtold:

The Association of California Cities – Orange County (ACC-OC) is our region's leading advocate for local control and municipal governments. We represent the interests of all 34

Orange County Cities and are a governed by a 23-member Board of Directors, composed of elected officials, industry leaders and city staff.

We are in receipt of your Notice of the upcoming workshop to discuss the draft MS4 Permit ("Permit") for North Orange County on May 19, 2014. We note that attendance is limited to only 90 people, and it is unclear whether we will be allowed to participate. Accordingly, I would ask that you or your staff describe, at the time of workshop, the rationale for the following requirements in the Permit, so that we may understand the intent.

(Section III.B.3) This appears to add a requirement for Permittees to submit a Report of Waste Discharge for de minimus discharges. What is the Regional Board's intent to add this new requirement?

(Section XII.A) This section appears to require cities add specific water quality regulations and mitigation measures as part of updates to General or Specific plans. Please explain this new requirement and its intended outcome.

(Section XII.C) Requires WQMPs to be "recorded in public records with County and/or the relevant City." As these documents are often hundreds – if not thousands – of pages long and are updated frequently, does the Regional Board expect that each city record the WQMPs with the County Clerk-Recorder as well as onsite at city halls? If so, what would the Regional Board believe to be a reasonable time frame for updating the records (e.g. every year, six months, etc.)?

(Section XII.D.10) This section of the Permit requires the cities to "security the authority" to enter into private property to inspect and maintain the property. We are interested to know what limitations the Regional Board intends on placing on this requirement as it seems there are property and privacy rights implicated by this element of the Permit, especially as it relates to individuals' homes and businesses. Is the Regional Board requiring individuals to waive these rights if they have a water quality management plan associated with their property?

(Section XII.C.12) New requirement for electronic database of WQMP data, requiring

that all WQMP's back to 2009 be included. What is the Regional Board's rationale for requiring five years of WQMPs as part of this electronic database?

Section XIII.B) Specifies that "Co-permittees must" endeavor on an extensive public education efforts that, among other requirements, must achieve "a minimum of 10 million impressions" using a number of measures. Does the Regional Board expect each co-permittee to meet such requirements or is the intent to ensure the Principal Permittee achieves these measurable objectives?

Thank you for your attention to this matter and we will look forward to discussion of these items.

Sincerely,

Lacy Kelly

Chief Executive Officer

Association of California Cities – Orange County

CC: ADAM.FISCHER@WATERBOARDS.CA.GOV

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