



COUNTY OF ORANGE  
**BOARD OF SUPERVISORS**

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March 26, 2013

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

**Subject: Notice of Public Hearing – National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for the Municipal Separate Storm Sewer Systems Draining the Watersheds within the San Diego Region**

Dear Mr. Gibson:

In keeping with our staff's comments at your meeting of March 13, the County of Orange wishes to express its serious concerns about the approach your Board is taking for the adoption of the subject permit. Because the municipal stormwater permit has wide-reaching impacts on the County, the Orange County Flood Control District, and our constituents, it deserves careful and deliberate consideration by all parties.

The public hearing for adoption of the permit is scheduled for April 10 and 11, 2013. However, your Board has not yet released the revised permit or your staff's response to comments for review by permittees and public. In the interest of providing all parties sufficient time to prepare thoughtful comments and to ensure a meaningful public process, we respectfully request the hearing be postponed to allow a minimum 45-day public comment period once the upcoming draft and response to comments are posted.

We also take exception to your Board's moves to restrict public comments at this stage of the process. The ability of interested parties to submit written comments is a standard operating procedure for public agencies throughout the state and a key principle of good governance. Likewise, the ability to present both oral and written comments pertinent to the item under consideration without restrictions on the content is standard operating procedure for all public agencies.

It is our hope that the San Diego Regional Board will consider both the letter of the law and the spirit of the law with respect to due process in this important regulatory action.

We seek to have a fully open, transparent, and participatory public process but require revised procedures and scheduled for the upcoming permit adoption.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Shawn Nelson', with a stylized, overlapping loop structure.

Shawn Nelson  
Chairman of the Board  
Fourth District Supervisor

A handwritten signature in blue ink, appearing to read 'Patricia C. Bates', with a cursive style and a long, sweeping underline.

Patricia C. Bates  
Vice-Chairman of the Board  
Fifth District Supervisor