

Walsh, Laurie@Waterboards

From: Slaven, Devin <dslaven@lakeforestca.gov>
Sent: Monday, August 25, 2014 11:05 AM
To: Walsh, Laurie@Waterboards
Cc: Becker, Eric@Waterboards; Arias, Christina@Waterboards; Chiu, Wayne@Waterboards; Smythe, Hope@Waterboards; Beckwith, Michelle@Waterboards; Fischer, Adam@Waterboards; Chris Crompton; Humza Javed; Moy Yahya (moyyahya@caaprofessionals.com); Christopher Macon ; Wheeler, Thomas; Rosenfield, Ken@CI.LAGUNA-HILLS@DOT; Berchtold, Kurt@Waterboards; Gibson, David@Waterboards; maryanne.skorpanich@ocpw.ocgov.com
Subject: Single Board regulations of Lake Forest, Laguna Hills, and Laguna Woods
Attachments: Single Permit Findings and Provisions.DOCX

Good Morning Laurie,

Please find attached, proposed permit language to facilitate MS4 permit regulation through a single Regional Board.

Again, please contact me should you have any questions.

Thank you,

Devin Slaven, CPSWQ, QSD/QSP
Environmental Manager
City of Lake Forest
Public Works Department
www.lakeforestca.gov
Ph: 949-461-3436
Fax: 949-461-3511
[24-Hour Water Pollution Hotline: 877-89-SPILL](http://www.lakeforestca.gov)

From: Slaven, Devin
Sent: Friday, August 22, 2014 4:58 PM
To: 'Walsh, Laurie@Waterboards'
Cc: Becker, Eric@Waterboards; Arias, Christina@Waterboards; Chiu, Wayne@Waterboards; Smythe, Hope@Waterboards; Beckwith, Michelle@Waterboards; Fischer, Adam@Waterboards; Chris Crompton; Humza Javed; Moy Yahya (moyyahya@caaprofessionals.com); Christopher Macon ; Wheeler, Thomas; Ken Rosenfield; Berchtold, Kurt@Waterboards (Kurt.Berchtold@waterboards.ca.gov); Gibson, David@Waterboards (David.Gibson@waterboards.ca.gov); maryanne.skorpanich@ocpw.ocgov.com
Subject: RE: Single Board regulations of Lake Forest, Laguna Hills, and Laguna Woods

Laurie,

In accordance with our discussion at the July 30, 2014 meeting, and the request made by the San Diego Regional Water Quality Control Board staff, please find attached, a summary of MS4 permit differences. The proposed language to be used in the fifth-term MS4 permits to facilitate single Regional Board regulation is still under review by legal counsel; however, it will be submitted to you on Monday, August, 25, 2014.

Please let me know if you have any questions.

Thank you,

Devin Slaven, CPSWQ, QSD/QSP
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[24-Hour Water Pollution Hotline: 877-89-SPILL](tel:877-89-SPILL)

From: Walsh, Laurie@Waterboards [<mailto:Laurie.Walsh@waterboards.ca.gov>]
Sent: Friday, August 15, 2014 10:52 AM
To: Slaven, Devin; Chris Crompton; Humza Javed; Moy Yahya (moyyahya@caaprofessionals.com); Christopher Macon
Cc: Becker, Eric@Waterboards; Arias, Christina@Waterboards; Chiu, Wayne@Waterboards; Smythe, Hope@Waterboards; Beckwith, Michelle@Waterboards; Fischer, Adam@Waterboards
Subject: Single Board regulations of Lake Forest, Laguna Hills, and Laguna Woods

Gentlemen,

Your Cities have requested single Board regulatory oversight of your MS4 discharges. The San Diego Water Board Executive Officer requested during our most recent meeting a list/spreadsheets of the issues your Cities deal with that unreasonably burden your resources by being regulated under two Regional Boards. I have yet to receive this information. I am currently reviewing the Regional MS4 Permit and need that information along with any draft finding language Chris Crompton wants to submit in order support a Water Board finding on single water board regulatory oversight in either Water Boards' storm water permit. I need to receive your information by Friday of next week (i.e. 8/22/14) (Santa Ana Water Board may have a different need as far as a due date) in order to have sufficient time to incorporate any potential changes to the Regional MS4 permit during the Orange County permit renewal process.

Your attention to this matter is greatly appreciated.

Laurie Walsh, PE
San Diego Water Board

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 CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD
www.waterboards.ca.gov/sandiego/

**Proposed Language for use in the San Diego Region Regional Permit for OC
(to be modified, as appropriate, for use in the Santa Ana Region MS4 Permit)**

Findings

Cities of Lake Forest and Laguna Hills

The Cities of Lake Forest and Laguna Hills are hydrologically divided into watersheds draining into the Newport Bay and Aliso Creek Watersheds under the jurisdiction separately of the Santa Ana and San Diego Regional Water Quality Control Boards, respectively. Pursuant to California Water Code Section 13228, both cities have requested a consolidation of program compliance and reporting under one Regional Board (the Santa Ana Regional Water Quality Control Board for Lake Forest and the San Diego Regional Water Quality Control Board for Laguna Hills) in order to achieve administrative efficiency. The San Diego Regional Water Quality Control Board and the Santa Ana Regional Water Quality Control Board have agreed with the cities to include provisions in their respective municipal NPDES permits regulating discharges in Orange County that would allow the City of Lake Forest to implement the Santa Ana Regional Water Quality Control Board's municipal NPDES permit in those portions of the City that are within the San Diego Regional Water Quality Control Board's jurisdiction, and allow the City of Laguna Hills to implement the San Diego Regional Water Quality Control Board's municipal NPDES permit in those portions of the City that are within the Santa Ana Regional Water Quality Control Board's jurisdiction. Both cities shall be exempt from the requirements of the NPDES permit that they are not implementing provided that they continue to participate in the watershed and TMDL programs in both watersheds as detailed in Section _____, below.

Order Language (to be placed in a general section toward the front of the permit)

A. Lake Forest

In lieu of being subject to this Order, the City of Lake Forest may elect to be subject to and regulated under Santa Ana Regional Water Quality Control Board Order No _R8-2009-0030 (amended by R8-2010-0062), or the most recent iteration thereof throughout the City's entire jurisdiction. The City shall be exempt from this Order provided it meets the following conditions:

- 1) Within thirty (30) days of adoption of this Order the City of Lake Forest implements all applicable provisions of Santa Ana Regional Water Quality Control Board Order No R8-2009-0030 (amended by R8-2010-0062), or the most recent iteration thereof throughout the City's entire jurisdiction.
- 2) The City of Lake Forest remains in compliance with all applicable requirements of Santa Ana Regional Water Quality Control Board Order No R8-2009-0030 (amended by R8-2010-0062), or the most recent iteration thereof.

- 3) The City of Lake Forest implements the Aliso Creek Watershed Comprehensive Load Reduction Plan updated and submitted to the San Diego Regional Water Quality Control Board in July 2014.
- 4) The City of Lake Forest implements all applicable TMDL requirements in Attachment E of this Order.

Failure to comply with any of the above requirements will result in the exemption provided by this section being revoked and the City being subject to this Order throughout all portions of the City that are within the jurisdiction of the San Diego Regional Water Quality Control Board. If the City chooses to be regulated under Santa Ana Regional Water Quality Control Board Order No R8-2009-0030 (amended by R8-2010-0062), or the most recent iteration thereof pursuant to this section, the San Diego Regional Water Quality Control Board shall retain enforcement authority in those portions of the City that are within the jurisdiction of the San Diego Regional Water Quality Control Board.

B. Laguna Hills

In lieu of being subject to and regulated under Santa Ana Regional Water Quality Control Board Order No _R8-2009-0030 (amended by R8-2010-0062), or the most recent iteration thereof, in those portions of the City of Laguna Hills that are within the jurisdiction of the Santa Ana Regional Water Quality Control Board, the City may elect to be regulated under this Order only throughout the City's entire jurisdiction. Following such election, the municipal stormwater runoff in all portions of the City, including those that fall within the Santa Ana Regional Water Quality Control Board's geographic jurisdiction, shall be subject to regulation by San Diego Regional Water Quality Control Board pursuant to this Order, subject to the terms of any designation agreement(s) entered into between the City, the San Diego Regional Water Quality Control Board, and the Santa Ana Regional Water Quality Control Board pursuant to Water Code Section 13228. Those TMDLs and associated MS4 permit requirements issued by the Santa Ana Regional Water Quality Control Board which include the City of Laguna Hills as a responsible party are set forth in Attachment ___ of this Order and incorporated into this Order by reference.