



April 10 and 11, 2013  
Item No. 8  
Supporting Document No. 4



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## California Regional Water Quality Control Board, San Diego Region

October 31, 2012

San Diego County Copermittees  
Orange County Copermittees  
Riverside County Copermittees

**In reply refer to / attn:**  
**Place ID: 786088Wchiu**

**Subject: Tentative Order No. R9-2013-0001  
San Diego Region MS4 Permit Reissuance**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is pleased to release for public review and comment Tentative Order No. R9-2013-0001, NPDES No. CAS0109266, *National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region* (Tentative Order). Notice is hereby given that the San Diego Water Board will receive written comments on the Tentative Order in accordance with title 40 Code of Federal Regulations section 124.10 and Water Code section 13167.5.

The Tentative Order is a regional MS4 permit that proposes to jointly cover all 39 Copermittees within the San Diego Region (i.e., South Orange County, Southwestern Riverside County, and San Diego County), in a phased manner as their current MS4 permits expire or upon request for earlier coverage prior to permit expiration. The Tentative Order covers multiple discharge points to multiple receiving waters throughout the San Diego Water Board Region. All MS4 Copermittees in the San Diego Region are therefore on notice that they may ultimately be regulated under the Tentative Order, if adopted. Copermittees covered by the San Diego County MS4 permit (Order No. R9-2007-0001) must submit any written comments on the Tentative Order during the comment period described below. Copermittees covered by the Orange County and Riverside County MS4 permits (Order Nos. R9-2009-0002 and R9-2010-0016, respectively), for which Reports of Waste Discharge have not yet been filed, are strongly encouraged to submit written comments on the Tentative Order during the comment period described below.

The Tentative Order includes in Attachment F, a Fact Sheet pursuant to title 40 code of Federal Regulations section 124.8 (a) that sets forth the principal background information and facts, regulatory and legal citations, references and additional explanatory information and data in support of the requirements of the Tentative Order.



**Document Availability**

The Tentative Order, and attachments thereto, are available on the San Diego Water Board website at:

[http://www.waterboards.ca.gov/rwqcb9/water\\_issues/programs/stormwater/index.shtml](http://www.waterboards.ca.gov/rwqcb9/water_issues/programs/stormwater/index.shtml)

You may also receive a copy of the Tentative Order by contacting Wayne Chiu at (858) 637-5558 or [wchiu@waterboards.ca.gov](mailto:wchiu@waterboards.ca.gov) or by visiting the San Diego Water Board's office at 9174 Sky Park Court, Suite 100, San Diego, California 92123-4340, weekdays between 8:00 a.m. and 5:00 p.m., telephone 858-467-2952.

**Submission of Written Comments**

Copermittees or interested persons wishing to submit comments on the Tentative Order must submit them so that they are received no later than **5:00 p.m. on Friday, January 11, 2013**. Written comments should be submitted to:

Wayne Chiu, P.E.  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego California 92123-4340

The early submission of written comments on the Tentative Order is encouraged. Electronic written comments are acceptable and should be submitted via e-mail to the attention of Wayne Chiu at [wchiu@waterboards.ca.gov](mailto:wchiu@waterboards.ca.gov).

Please indicate in the subject line of all written comments "Comment – Tentative Order No. R9-2013-0001, Regional MS4 Permit, Place ID: 786088Wchiu." If the submitted written comments exceed five pages in length or contain foldouts, color graphics, or maps, 15 hard copies must be submitted for distribution to the San Diego Water Board members and staff.

The submission of written comments is the opportunity for Copermittees and interested persons to raise and comment on issues pertaining to the terms and conditions of the Tentative Order. All written comments including testimony, technical documentation and factual information pertaining to the terms and conditions of the Tentative Order to be considered by the San Diego Water Board at the as yet unscheduled public hearing must be received by 5:00 pm on January 11, 2013. At a later date following submittal of written comments, the San Diego Water Board will convene a public hearing to hear testimony and policy statements from the Copermittees and interested persons summarizing their written comments and to consider adoption of the Tentative Order. The scope of oral testimony at the public hearing will be strictly limited to summarizing the previously submitted written comments and making policy statements. No new issues may be raised at the hearing.

Consistent with State Water Board regulations that apply to this proceeding, written comments received after the close of the comment period will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party. Written comments received by the close of the comment period will be provided to the San Diego



Water Board members for their review in advance of a public hearing to consider adoption of the Tentative Order. All timely written comments will also be posted as they are received on the San Diego Water Board website at:

[http://www.waterboards.ca.gov/rwqcb9/water\\_issues/programs/stormwater/index.shtml](http://www.waterboards.ca.gov/rwqcb9/water_issues/programs/stormwater/index.shtml)

### **Public Hearing for Consideration of Tentative Order Adoption**

The San Diego Water Board will issue a separate notice announcing a public hearing to receive oral comments and consider adoption of the Tentative Order at a later date. Notice of the public hearing will be provided to the Copermitees and interested persons at least thirty (30) days in advance of the hearing. Participants will have an opportunity to address the San Diego Water Board members subject to reasonable limitations prior to the Board taking action on the Tentative Order.

The public notice providing the specific date for the San Diego Water Board adoption meeting and any other public notices related to the Tentative Order will be distributed through the Lyris e-mail list server and posted on the San Diego Water Board website at:

[http://www.waterboards.ca.gov/rwqcb9/water\\_issues/programs/stormwater/index.shtml](http://www.waterboards.ca.gov/rwqcb9/water_issues/programs/stormwater/index.shtml)

Any person desiring to receive future public notices regarding this Tentative Order can subscribe to one of the electronic mail lists (i.e. Lyris List) titled "Orange County MS4 Permit", "Riverside County MS4 Permit", or "San Diego MS4 Permit ", located on the San Diego Water Board website at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg9\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg9_subscribe.shtml)

### **Contact for further Information**

For questions or comments concerning this notice, please contact Wayne Chiu by phone at (858) 637-5558, or by email at [wchiu@waterboards.ca.gov](mailto:wchiu@waterboards.ca.gov).

Respectfully,

David W. Gibson  
Executive Officer  
San Diego Regional Water Quality Control Board

DWG:dtb esb:law:wc



Tentative Order No. R9-2013-0001

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cc:

Distribution via US Mail and email:  
(see attached address list)

San Diego County Copermittees  
Orange County Copermittees  
Riverside County Copermittees  
Resource Agencies

Distribution list via email:

San Diego County MS4 Permit Lyris List  
Riverside County MS4 Permit Lyris List  
Orange County MS4 Permit Lyris List  
San Diego Water Board Agenda Lyris List

| Tech Staff Info & Use |              |
|-----------------------|--------------|
| Order No.             | R9-2013-0001 |
| Party (GT/CIWQS) ID   | 536787       |
| File No.              | n/a          |
| WDID                  | n/a          |
| NPDES No.             | CAS0109266   |
| Reg. Measure ID       | 387335       |
| Place ID              | 786088       |
| Person ID             | n/a          |
| Inspection ID         | n/a          |



**San Diego County  
Copermittees**

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## Natural Resource Agencies

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