



California Regional Water Quality Control Board, San Diego Region

September 18, 2014

Sent via E-mail

San Diego County Copermittees
Orange County Copermittees
Riverside County Copermittees

In reply refer to / attn:
Place ID: 658018Lwalsh

Subject: NOTICE OF OPPORTUNITY TO COMMENT
Tentative Order No. R9-2015-0001, An Order Amending the Regional Municipal Separate Storm Sewer (MS4) Permit for the San Diego Region (Order No. R9-2013-0001)

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is releasing for public review and comment Tentative Order No. R9-2015-0001 (Tentative Order). The Tentative Order proposes to amend the National Pollutant Discharge Elimination System (NPDES) Permit for *Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region*, Order No. R9-2013-0001 (Regional MS4 Permit). Notice is hereby given that the San Diego Water Board will receive written comments on the Tentative Order and proposed changes to the Regional MS4 Permit in accordance with title 40 Code of Federal Regulations (CFR) section 124.10 and Water Code section 13167.5.

The Tentative Order proposes to amend the Regional MS4 Permit in response to the Orange County Copermittees' Report of Waste Discharge (RoWD) submitted by letter dated May 20, 2014, and designate the Orange County Copermittees as MS4 dischargers responsible for compliance with the terms and the conditions of the Permit. The Tentative Order also proposes to amend the Regional MS4 Permit to address a variety of other issues including 1) Regional Water Board designation to consolidate regulation of Phase I MS4 discharges for the Cities of Laguna Hills, Laguna Woods, and Lake Forest pursuant to Water Code section 13228, 2) incorporation of the Los Peñasquitos Lagoon Sediment Total Maximum Daily Load requirements, 3) the extension of a pollutant reduction deadline for MS4 discharges to Areas of Special Biological Significance, 4) incorporation of interim exemptions for hydromodification management, and 5) implementation of a uniform approach for monitoring beach water quality in south Orange County. The uniform monitoring approach referenced in the Tentative Order is contained in a San Diego Water Board report entitled "*Workgroup Recommendation for a Unified Beach Water Quality Monitoring and Assessment Program in South Orange County*," dated September 2014. This report will be available for public review during the public review and comment period on the Tentative Order.



The Tentative Order amends the Regional MS4 Permit and the Fact Sheet (Attachment F of the Permit) as described in Attachments 1 and 2 of the Tentative Order. Changes to the Regional MS4 Permit and its Fact Sheet based upon the Tentative Order are displayed in blue-underline text and ~~red-strikeout~~ text in the attachments to the Tentative Order.

If the San Diego Water Board adopts Tentative Order No. R9-2015-0001, the Orange County Copermittees will be the second group of Copermittees to obtain coverage under the Regional MS4 Permit. San Diego County Copermittees obtained coverage upon the effective date of the Regional MS4 Permit following its adoption on May 8, 2013. The last remaining group, the Riverside County Copermittees, will be considered for coverage under the Regional MS4 Permit in a future action following the expiration of their current MS4 Permit in November 2015, and after consideration of their RoWD submittal for MS4 Permit reissuance. Thus the intent of the Regional MS4 Permit is to ultimately cover multiple MS4 discharge points to receiving waters throughout areas of San Diego, Orange, and Riverside Counties that fall within the San Diego Water Board's jurisdiction. Therefore, the Copermittees currently covered by Order No. R9-2013-0001 (i.e. the Copermittees in San Diego County) and Orange County Copermittees have an opportunity to submit any written comments on the Tentative Order and proposed changes to the Regional MS4 Permit during the comment period described below. Copermittees covered by the current Riverside County MS4 permit (Order No. R9-2010-0016), for which a RoWD NPDES reissuance application has not yet been filed, are strongly encouraged to submit written comments during the comment period described below.

Document Availability

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

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/oc_stormwater.shtml.

Interested persons may also receive a copy of the Tentative Order and its attachments by contacting Laurie Walsh at (619) 521-3373, email Laurie.Walsh@waterboards.ca.gov or by visiting the San Diego Water Board's office at 2375 Northside Drive, Suite 100, San Diego, California 92108, weekdays between 8:00 a.m. and 5:00 p.m., telephone (619) 516-1990. San Diego, Orange, and Riverside County Copermittees are requested to confirm by e-mail to Laurie Walsh that they do not wish to receive a copy of the Tentative Order and its attachments in paper form.

Submission of Written Comments

The submission of written comments is the opportunity for the Copermittees and interested persons to raise and comment on issues pertaining to the terms and conditions of the Tentative Order. All written comments 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 no later than **12:00 noon on Wednesday November 19, 2014**.

Written comments must be sent to the San Diego Water Board's office at 2375 Northside Drive, Suite 100, San Diego, CA 92108, faxed to (619) 516-1994, or e-mailed to Laurie Walsh at Laurie.Walsh@waterboards.ca.gov. Please indicate in the subject line of all written comments "Comment - Tentative Order No. R9-2015-0001, Place ID:658018LWalsh". The early submission of written comments on the Tentative Order is encouraged.

Written comments received by **12:00 noon on Wednesday, November 19, 2014** 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/sandiego/water_issues/programs/stormwater/oc_stormwater.shtml.

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. The San Diego Water Board will prepare written responses to significant comments that are timely received.

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 Copermittees 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 e-mail list service specified below and posted on the San Diego Water Board website at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/oc_stormwater.shtml

Public Workshop on Tentative Order

The San Diego Water Board will hold a public workshop to receive information and discuss requirements of the Tentative Order as part of the Board's regularly scheduled public meeting on October 8, 2014 in the City of Mission Viejo, Council Chambers, Mission Viejo, California. Additional information on the public workshop is contained in the Notice of Public Workshop which is available on the San Diego Water Board website at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/oc_stormwater.shtml

E-Mail List Service

Interested persons desiring to receive future public notices regarding the Tentative Order and potential future modifications to the Regional MS4 Permit can subscribe to one of the electronic e-mail service lists 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

Persons without access to email may request paper copies of future notices and other documents by contacting Laurie Walsh as specified in the Document Availability section of this notice.

Contact for further Information

For questions or comments concerning this notice, please contact Laurie Walsh by phone at (619) 521-3373, or by email at Laurie.Walsh@waterboards.ca.gov.

Respectfully,



David Barker, P.E.
Supervising Engineer
San Diego Regional Water Quality Control Board

DWG:dtb esb:law

Cc (via email):

San Diego County Copermittees
Orange County Copermittees
Riverside County Copermittees
Natural Resource Agencies
San Diego County MS4 Permit E-mail Service List
Riverside County MS4 Permit E-mail Service List
Orange County MS4 Permit E-mail Service List
San Diego Water Board Agenda E-mail Service List

Tech Staff Info & Use	
Tentative Order No.	R9-2015-0001
NPDES No.	CAS0109266
Place ID	658018

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