

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

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.

Tentative Order No. R9-2015-0001

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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



San Diego County Copermittees

Richard Gilb
San Diego Co. Reg. Airport Authority
Environmental Affairs Department
P.O. Box 82776
San Diego, CA 92138-2776
rgilb@san.org

Elaine Lukey/James Wood
City of Carlsbad
1635 Faraday Avenue
Carlsbad, CA 92008
eluke@ci.carlsbad.ca.us
James.wood@carlsbadca.gov

Khosro Aminpour
City of Chula Vista
1800 Maxwell Road
Chula Vista, CA 91911
kaminpour@ci.chula-vista.ca.us

Kim Godby
City of Coronado
101 B Street
Coronado, CA 92118
kgodby@coronado.ca.us

Mikhail Ogawa
City of Del Mar
1050 Camino Del Mar
Del Mar, CA 92014
mikhail@mogawaeng.com

Jamie Campos
City of El Cajon
200 East Main Street
El Cajon, CA 92020-3912
jcampos@ci.el-cajon.ca.us

Helen Davies
City of Escondido
201 North Broadway
Escondido, CA 92025
hdavies@ci.escondido.ca.us

Erik Steenblock
City of Encinitas
505 South Vulcan Ave
Encinitas, CA 92024-3633
esteenblock@ci.encinitas.ca.us

Chris Helmer
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932
chelmer@cityofib.org

Joe Kuhn
City of La Mesa
8130 Allison Avenue
La Mesa, CA 91941
jkuhn@ci.la-mesa.ca.us

Malik Tamimi
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945
mtamimi@lemongrove.ca.gov

Barbra Tipton
City of National City
1243 National City Blvd
National City, CA 91950-4397
btipton@nationalcityca.gov

Mo Lahsaie
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054
mlahsaie@ci.oceanside.ca.us

Steven Strapac
City of Poway
13325V Civic Center Drive
Poway, CA 92064
SStrapac@poway.org

Drew Kleis
City of San Diego
9370 Chesapeake Drive, Ste. 100, M.S.
1900
San Diego, CA 92123
akleis@sandiego.gov

Cecilia Padres-Tipton
City of Santee
10601 Magnolia Avenue
Santee, CA 92071-1266
ctipton@cityofsanteeca.gov

Karen Holman
San Diego Unified Port District
P.O. Box 120488
San Diego, CA 92112
kholman@portofsandiego.org

Reed Thornberry
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069
rthornberry@san-marcos.net

Joann Weber
County of San Diego
5510 Overland Ave., Suite 410
San Diego, CA 92123
Joann.weber@sdcounty.ca.gov

Taryn Dunbar
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075
tdunbar@cosb.org

Cheryl Filar
City of Vista
600 Eucalyptus Avenue
Vista, CA 92084
cfilar@cityofvista.com

Natural Resource Agencies

Lauren Kershek
U.S. Fish and Wildlife Service
2177 Salk Ave., Suite 250
Carlsbad, CA 92008
Lauren_Kershek@fws.gov

Bill Paznokas
California Department of Fish & Game
Environmental Services Division
4949 Viewridge Avenue
San Diego, CA 92123
WPaznokas@dfg.ca.gov

Deborah Lee
CA Coastal Commission
San Diego Coast District Office
7575 Metropolitan Drive Ste 103
San Diego, CA 92108-4402
DLee@coastal.ca.gov

Cindy Lin
USEPA Southern California Field Office
600 Wilshire Blvd., Suite 1460
Los Angeles, CA 90017
Lin.Cindy@epamail.epa.gov

Dave Smith
USEPA REGION 9 -WTR-5
75 Hawthorne Street
San Francisco, CA 94105
smith.davidw@epamail.epa.gov

Robert Smith
ACOE Carlsbad Field Office
6010 Hidden Valley Rd, Suite 105
Carlsbad, CA 92011-4213
robert.r.smith@usace.army.mil

Orange County Copermittees

Moy Yahya
City of Aliso Viejo
12 Journey, Suite 100
Aliso Viejo, CA 92656-5335
myahya@cityofaliso Viejo.com

Lisa Zawaski
City of Dana Point
33282 Golden Lantern
Dana Point, California 92629
lzawaski@danapoint.org

Tracy Ingebrigtsen
City of Laguna Beach
505 Forest Avenue
Laguna Beach, California 92651
tingebrigtsen@lagunabeachcity.net

Humza Javed
City of Laguna Hills
24035 El Toro Rd.
Laguna Hills, CA 92653
hjaved@ci.laguna-hills.ca.us

Nancy Palmer
City of Laguna Niguel
30111 Crown Valley Parkway
Laguna Niguel, CA 92677
npalmer@cityoflagunaniguel.org

Christopher Macon
City of Laguna Woods
24264 El Toro Rd.
Laguna Woods, CA 92637
cmacon@lagunawoodscity.org

Devin Slaven
City of Lake Forest
25550 Commercentre Drive, Suite100
Lake, Forest, CA 92630
dslaven@lakeforestca.gov

Joe Ames
City of Mission Viejo
200 Civic Center
Mission Viejo, CA 92691
james@cityofmissionviejo.org

Chris Crompton
County of Orange
2301 N. Glassell Street
Orange, CA 92865
chris.crompton@ocpw.ocgov.com

Greg Yi
Orange County Flood Control
300 N. Flower Street, Suite 716
Santa Ana, CA 92703
greg.yi@rdmd.ocgov.com

Rae Beimer
City of Rancho Santa Margarita
22112 El Paseo,
Rancho Santa Margarita, CA 92688
RBeimer@cityofrsm.org

Mary Vondrak
City of San Clemente
910 Calle Negocio, Suite 100
San Clemente, CA 92673
vondrakM@san-clemente.org

Ziad Mazboudi
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675
zmazboudi@sanjuancapistrano.org

Riverside County Copermittees

Bill Woolsey/ Bob Moehling
City of Murrieta
One Town Square
Murrieta, CA 92562
wwoolsey@murrieta.org
bmoehling@murrieta.org

Steven Horn
County of Riverside
4080 Lemon Street, 4th Floor
Riverside, CA 92501
shorn@rceo.org

Eric Lomeli
Riverside County Flood Control
1995 Market Street
Riverside, CA 92501
erlomeli@rcflood.org

Aldo Licitra
City of Temecula
41000 Main Street
Temecula, California 92590
aldo.licitra@cityoftemecula.org

Matt Bennett
City of Wildomar
23873 Clinton Keith Rd., Suite 201
Wildomar, CA 92595
mbennett@interwestgrp.com