

**California Regional Water Quality Control Board
San Diego Region**

Response to Comments Report

**Revised Tentative Order No. R9-2013-0007
Waste Discharge Requirements
for
Foothill/Eastern Transportation Corridor Agency
Tesoro Extension Project (SR 241) Project
Orange County**

June 19, 2013

STATE OF CALIFORNIA

EDMUND G. BROWN, JR. Governor
MATT RODRIQUEZ, Agency Secretary, California Environmental Protection Agency



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Nathan Jacobsen, *Staff Counsel, Office of Chief Counsel*

This report was prepared under the direction of

David T. Barker, *P.E., Supervising WRC Engineer, Surface Water Basins Branch*
Kelly Dorsey, *P.G. Senior Engineering Geologist, Northern Watershed Unit*

by

Darren Bradford., *Environmental Scientist*
Andreas Polis, *Scientific Aid*
Kimberly McMurray-Cathcart, *Volunteer Intern*

Acronyms & Abbreviations

ACOE	Army Corps of Engineers	NGO	Non-governmental Organization
BMPs	Best Management Practices	NPDES	National Pollutant Discharge Elimination System
Caltrans	California Department of Transportation	NTR	National Toxics Rule
CCR	California Code of Regulation	PROJECT	Tesoro Extension Project
CEQA	California Environmental Quality Act	RMP	Runoff Management Plan
CFR	Code of Federal Regulations	ROWD	Report of Waste Discharge
CTR	California Toxics Rule	SR	State Route
CRAM	California Rapid Assessment Method	SSOC	Save San Onofre Coalition
CWA	Clean Water Act	SWPPP	Storm Water Pollution Prevention Plan
CWC	California Water Code	TCA	Transportation Corridor Agencies
EIR	Environmental Protection Report	USACOE	United States Army Corps of Engineers
F/ECTA	Foothill/Eastern Transportation Corridor Agency	USEPA	United States Environmental Protection Agency
GIS	Geographic Information System	WC	Water Code
HMMP	Habitat Mitigation and Monitoring Plan	WDRs	Waste Discharge Requirements
HMP	Hydromodification Plan	WQMP	Water Quality Management Plan
MS4	Municipal Separate Stormwater Sewer Systems		

EXECUTIVE SUMMARY

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has prepared this Response to Comments Report regarding Tentative Order No. R9-2013-0007, *Waste Discharge Requirements for the Foothill/Eastern Transportation Corridor Agency (F/ETCA), Tesoro Extension (SR 241) Project, Orange County* (Tesoro Extension Project).

This report covers responses to comments on the Tentative Order that were received between January 17, 2013 and March 1, 2013. Please note, all references to Tentative Order section numbers in the response sections of this report refer to section numbers in the Revised Tentative Order, unless otherwise noted in the response.

**RESPONSE TO COMMENTS RECEIVED REGARDING
 TENTATIVE ORDER NO. R9-2013-0007
 June 19, 2013**

Comment No.	Hydromodification	
1	<p>COMMENT: The applicant's report does not analyze impacts from the project on bedload (coarse sediment) as required by the South Orange County HMP.</p> <p>As stated in the South Orange County HMP, "Urbanization can reduce the mass of bed material transported through the elimination of alluvial channel sections. This occurs in site development when first order and particularly larger streams are lined or placed into underground conduits."</p> <p>To properly manage bedload supply in urbanization projects, the South Orange County HMP recommends a three-step process:</p> <ol style="list-style-type: none"> 1. Determine whether the site is a significant source of bed material to the receiving stream. 2. Avoid significant bed material supply areas in the site design. 3. Replace significant bed material supply areas that are eliminated through urbanization. <p>As an alternative to the steps above, the HMP allows "the project applicant to model the site conditions and the receiving stream and provide additional mitigation in site runoff to compensate for the reduction (or addition) of bed material. This option may only be used if the general approach outlined above is deemed infeasible by the permitting authority, or if the project site design requires significant alteration of on-site stream."</p> <p>Our review of the applicant's report along with supporting materials found no bedload analysis. A limited sediment study was performed for bulking analysis of discharge for closed conduit design, but these studies do not satisfy the requirements of the HMP. At a minimum, to comply with the HMP, the applicant would need to determine whether or not impacted streams are a significant contributor of bed material. If impacted streams were found to contribute bed material, the design of the project would need to be revised to accommodate bedload supply areas, or bedload supply would need to be replaced. It is important to stress that the Orange County HMP requirement for analysis and preservation of bedload sources was specifically written with developments on steep hillslopes such as those underlying the proposed project site in mind.</p> <p>RESPONSE: The Orange County Stormwater Program developed a Model Water Quality</p>	<p>Commenter: Endangered Habitats League Michael Fitts</p>

	<p>Management Plan (WQMP) and a Draft Hydromodification Management Plan (HMP) in response to permit requirements from the San Diego Water Board in Order R9-2009-0002, the Municipal Separate Storm Sewer Systems (MS4) National Pollutant Discharge Elimination System (NPDES) permit for south Orange County (MS4 Permit). The MS4 Permit requires the incorporation of low impact development and hydromodification requirements in new development and significant redevelopment projects. The Tesoro Extension Project is located in south Orange County and is therefore subject to the requirements of the WQMP and the HMP as a new development project pursuant to the MS4 permit.</p> <p>The WQMP and HMP are specific to the south Orange County watershed management area and contain structural BMP requirements designed to protect the receiving waters in the area from the effects of hydromodification. Hydromodification refers to changes in the magnitude and frequency of stream flows due to urbanization and the resulting impacts on receiving channels, such as erosion, sedimentation, and potential degradation of in-stream habitat.</p> <p>It is now recognized that hydromodification approaches and strategies based on flow management need to be expanded to consider sediment management because they trap sediment and release sediment-starved water to downstream areas. The effects of coarse sediment deficit in the receiving waters must be considered to fully address hydromodification impacts. Coarse sediment functions to naturally armor the stream bed and reduce the erosive forces associated with high flows. Absence of coarse sediment often results in erosion of in-channel substrate during high flows. In addition, coarse sediment contributes to the formation of in-channel habitats necessary to support native flora and fauna.</p> <p>The HMP contains provisions for avoiding coarse sediment yield areas and implementation of measures that allow coarse sediment to be discharged to receiving waters to prevent sediment deficit. Section V.B. of the Revised Tentative Order R9-2013-0007 requires that the design measures of the post construction BMPs for the Tesoro Extension Project comply with the draft Model Water Quality Management Plan (Model WQMP) for South Orange County, dated December 16, 2011, and the draft South Orange County Hydromodification Plan (HMP), dated December 11, 2011.</p> <p>The Revised Tentative Order, section V.B. requires F/ETCA to submit and implement an updated Runoff Management Plan by October 31, 2013, prepared and certified by a properly</p>	
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	<p>qualified engineer, that clearly indicates the means for compliance with all of the requirements in the HMP, including those regarding coarse bed material sediment supply. The HMP contains provisions for avoiding coarse sediment yield areas and implementation of measures that allow coarse sediment to be discharged to receiving waters to prevent sediment deficit. The HMP general approach to ensure maintenance of the pre-project sediment supply is a three-step process: 1. Determine whether the site is a significant source of bed material to the receiving stream; 2. Avoid significant bed material supply areas in the site design; 3. Replace significant bed material supply areas that are eliminated through urbanization.</p> <p>An alternative compliance option allows the project applicant to model the site conditions and the receiving stream and provide additional mitigation in site runoff to compensate for the reduction (or addition) of bed material. This option may only be used if the general approach outlined above is deemed infeasible by the permitting authority, or if the project site design requires significant alteration of on-site streams.</p>	
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Comment No.	Hydromodification	
2	<p>COMMENT: The proposed project would likely result in a significant reduction in bedload to receiving waters. It has been well documented that headwater channels (also referred to as first-order channels) are the primary coarse sediment source for downstream channels (Schumm and Hadley, 1961; Boyce, 1975; Strand, 1975; Schumm, 1977; Dietrich and Dunne, 1978). Headwater channels are characterized by steep, ephemeral drainages, where a mix of fluvial and hillslope processes transport sediment. These are high sediment areas that episodically deliver coarse sediment to higher-order streams, which in turn transport and store sediment.</p> <p>Figure 2 shows several headwater channels within the Wagon Wheel Creek watershed that would be affected by grading activities due to the project. The proposed project would fill in the steep-headwater valleys and move the stream channels to hardened underground conduits. The applicant has not analyzed the effect of these actions on bedload transport rates to receiving streams, but knowing what we know about sediment production in headwater channels, we would expect this action to have a significant effect on the supply of bedload to Wagon Wheel Creek, Canada Gobernadora, Chiquita Creek, and San Juan Creek.</p> <p>According to sediment transport principals as illustrated graphically by Lane's balance, reduced bedload supply to these channels would result in channel degradation consistent with observations of channel response due to hydromodification. These effects would be channel incision, headcut migration, bank failure and loss of aquatic habitat, all of which would negatively affect beneficial uses of downstream channels.</p> <p>RESPONSE: See Response to Comment 1. Section V.B. of Revised Tentative Order R9-2013-0007 requires the Discharger to comply with the draft Model Water Quality Management Plan (Model WQMP) for South Orange County, dated December 16, 2011, and the draft South Orange County Hydromodification Plan (HMP), dated December 11, 2011. In complying with the Model WQMP and the HMP the Discharger must consider avoiding coarse sediment yield areas and implementation of measures that allow coarse sediment to be discharged to receiving waters to prevent sediment deficit. The Revised Tentative Order, section V.B. requires F/ETCA to submit and implement an updated Runoff Management Plan by October 31, 2013, prepared and certified by a properly qualified engineer, that clearly indicates the means for compliance with all of the requirements in the HMP, including those regarding coarse bed material sediment</p>	<p>Commenter: Endangered Habitats League Michael Fitts</p>

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	supply.	
Comment No.	Hydromodification	
3	<p>COMMENT: The proposed mitigation for the project would not replace lost bedload. While impacts to bedload supply would be expected to occur in three watersheds (Wheel Creek, Canada Gobernadora, Chiquita Creek, and San Juan Creek) mitigation for channel loss is proposed in only one watershed- the Chiquita Creek watershed. The currently proposed mitigation areas do not appear to match the area impacted by coarse sediment reduction. Moreover, according to the applicant’s report, the Chiquita Creek watershed produces substantially less sediment than Canada Gobernadora:</p> <p>“Several active headcuts are present in Cañada Chiquita Creek, and the channel is presently incising in several locations. Continued channel incision will increase the sediment generation for the sub-basin by increasing in-channel sediment generation. The Chiquita sub-basin produces substantially less sediment than Gobernadora Canyon (US Army Corps of Engineers 2005).”</p> <p>Mitigation in the Chiquita Creek watershed will likely produce substantially less bedload than the impacted streams in the Wagon Wheel/Canada Gobernadora and therefore would not replace the lost bedload. In addition, the proposed project is expected to reduce coarse sediment supply in San Juan Creek, a coastal stream.</p> <p>RESPONSE: See Response to Comment 1. Section V.B. of Revised Tentative Order R9-2013-0007 requires the Discharger to comply with the draft Model Water Quality Management Plan (Model WQMP) for South Orange County, dated December 16, 2011, and the draft South Orange County Hydromodification Plan (HMP), dated December 11, 2011. In complying with the Model WQMP and the HMP the Discharger must consider avoiding coarse sediment yield areas and implementation of measures that allow coarse sediment to be discharged to receiving waters to prevent sediment deficit. The Revised Tentative Order, section V.B. requires F/ETCA to submit and implement an updated Runoff Management Plan by October 31, 2013, prepared and certified by a properly qualified engineer, that clearly indicates the means for compliance with all of the requirements in the HMP, including those regarding coarse bed material sediment supply.</p>	<p>Commenter: Endangered Habitats League Michael Fitts</p>

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Comment No.	Hydromodification	
4	<p>COMMENT: As proposed, the project would be expected to result in channel incision and bank failure in Wagon Wheel Creek, Canada Gobernadora, and Chiquita Creek. In this way, the project would contribute to the further reduction of coarse sediment to San Juan Creek, a coastal stream which has several habitats and public safety concerns which could be exacerbated by the reduced sediment supply.</p> <p>The flow control requirements in the Orange County HMP (controlling flows from 10 percent of the 2- year event up to the 10-year event) are average controls that encompass a diverse range of channel sensitivities across the County. Some receiving waters are more sensitive while some are less so. Steep headwaters such as the project site are especially sensitive to hydromodification.</p> <p>The effects of hydromodification on stream channels have been well documented (Hawley, 2009; Hawley, Bledsoe and Stein, 2011). We expect the project as proposed to cause channel degradation consistent with observed hydromodification effects including large-scale channel enlargement, general scour, stream bank failure, loss of aquatic habitat and degradation of water quality. The San Juan Creek watershed has been shown to be a sediment starved system that has shown significant degradation since 1970. Below is an excerpt from ACOE (2005):</p> <p>“Results of the geomorphic analyses on San Juan Creek from Bell Canyon to the ocean outlet show significant degradation from 1970 to 1984 and continuing lower rates of degradation through 1998...The net effect of bed degradation is its impacts on associated resources, both natural and manmade. Bed degradation will eventually cause (and has already caused) the bed elevation to reach the level of buried pipelines, causing failure of water and sewer lines. It will cause erosion of bed sediments resulting in disappearance of habitat within the bed. If continuous, the resource will disappear permanently.”</p> <p>RESPONSE: See Response to Comment 1. Section V.B. of Revised Tentative Order R9-2013-0007 requires the Discharger to comply with the draft Model Water Quality Management Plan (Model WQMP) for South Orange County, dated December 16, 2011, and the draft South Orange County Hydromodification Plan (HMP), dated December 11, 2011. In complying with the Model WQMP and the HMP the Discharger must consider avoiding coarse sediment yield</p>	<p>Commenter: Endangered Habitats League Michael Fitts</p>

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	<p>areas and implementation of measures that allow coarse sediment to be discharged to receiving waters to prevent sediment deficit. The Revised Tentative Order, section V.B. requires F/ETCA to submit and implement an updated Runoff Management Plan by October 31, 2013, prepared and certified by a properly qualified engineer, that clearly indicates the means for compliance with all of the requirements in the HMP, including those regarding coarse bed material sediment supply.</p>	
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Comment No.	Habitat Mitigation and Monitoring Plan	
5	<p>COMMENT: My main concern is that the HMMP fails to analyze the extent to which the Tesoro Extension Project would impact the San Diego Cactus Wren (<i>Campylorhynchus brunneicapillus sandiegensis</i>), a California Species of Special Concern that occurs in the area that would be affected by construction of this proposed roadway. I was not able to find any recent survey results for the San Diego Cactus Wren in the HMMP or in any supporting documentation.</p> <p>The HMMP does not follow these guidelines, and in my opinion the HMMP's approach to scrub restoration is very unlikely to provide habitat of value to the Cactus Wren. For example, the HMMP's specification of 180 cactus pads per acre of restored coastal sage scrub is much lower than the density of cactus in which one typically finds Cactus Wrens in coastal southern California. But this is only the most obvious deficiency of the proposed mitigation approach. As indicated above, there are many items that should be taken into consideration when devising a restoration plan directed at providing habitat for Cactus Wrens. Implementing the HMMP as proposed would represent a lost opportunity to effectively mitigate this project's significant impacts to the San Diego Cactus Wren. This major deficiency in the project's mitigation approach must be addressed at this time.</p> <p>RESPONSE: The San Diego Water Board appreciates your comments regarding the Dischargers Final Habitat Mitigation and Monitoring Plan (HMMP) for the Tesoro Extension Project, dated February 13, 2013, and will consider your concerns during our review of the HMMP. Please note that section VII.C of Revised Tentative Order No. R9-2013-0007 requires that the complete HMMP be posted on the San Diego Water Board website and released for public review and comment for a minimum of 30 days.</p>	<p>Commenter: Robert A. Hamilton, President, Hamilton Biological, Inc.</p>

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Comment No.	Habitat Mitigation and Monitoring Plan	
6	<p>COMMENT: The HMMP makes no mention of the Arroyo Toad (<i>Anaxyrus californicus</i>), a species federally listed as endangered that is known to occur in the project vicinity, in and around San Juan Creek.</p> <p>The HMMP for this proposed project must analyze impacts on the Arroyo Toad population in San Juan Creek, immediately south of the proposed terminus, taking into account the wide-ranging use of upland habitats described above.</p> <p>RESPONSE: The San Diego Water Board appreciates your comments regarding the Dischargers Final Habitat Mitigation and Monitoring Plan (HMMP) for the Tesoro Extension Project, dated February 13, 2013, and will consider your concerns during our review of the HMMP. Please note that section VII.C of Revised Tentative Order No. R9-2013-0007 requires that the complete HMMP be posted on the San Diego Water Board website and released for public review and comment for a minimum of 30 days.</p>	<p>Commenter: Robert A. Hamilton, President, Hamilton Biological, Inc.</p>
Comment No.	Waste Discharge Requirements	
7	<p>COMMENT: Table 2 - While “unnamed tributary” is common parlance for RWQCB, use of the language in this context and as a part of a WDR for fill of isolated waters appears to call the Corps’ approved Jurisdictional Delineation into question, pursuant to which the Corps found that the waters impacted are not tributary to waters of the United States.</p> <p>RESPONSE: The San Diego Water Board changed the language in Table 2 as follows: “Unnamed waters of the State tributary to...” Finding I in the Revised Tentative Order and Section 2 of Attachment B (Information Sheet) to the Revised Tentative Order clearly state that the waters referred to in the Revised Tentative Order are only waters of the State.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>

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Comment No.	Waste Discharge Requirements	
8	<p>COMMENT: Section II. FINDING F. – Wording added to identify submission of Final Habitat Mitigation and Monitoring Plan (HMMP) for the Tesoro Extension Project.</p> <p>RESPONSE: The San Diego Water Board plans to accept and consider public comments regarding the complete Final HMMP as per section VII.C of Revised Tentative Order No. R9-2013-0007. Additionally, the San Diego Water Board has not approved the Final HMMP; therefore reference to the Final HMMP is not appropriate.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>
Comment No.	Waste Discharge Requirements	
9	<p>COMMENT: Section II. FINDING N. – Add language regarding extension of public comment period.</p> <p>RESPONSE: The San Diego Water Board noted the extension of the public comment period in Attachment B to Revised Tentative Order No. R9-2013-0007, section 10, page B-15.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>

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Comment No.	Waste Discharge Requirements	
10	<p>COMMENT: Section V.C Post- Construction Best Management Practices - Suggested language to clarify that the F/ETCA must design BMPs to meet Caltrans standards.</p> <p>RESPONSE: Revised Tentative Order No R9-2013-0007 section V.C has been modified to include the statewide storm water NPDES permit for the California Department of Transportation (Caltrans), Order No. 2012-0011-DWQ, as well as the Orange County Model Water Quality Management Plan (WQMP) and the Draft Hydromodification Management Plan (HMP) (See section V.B. of the Revised Tentative Order). The Orange County MS4 Permit requires the incorporation of low impact development and hydromodification requirements in new development and significant redevelopment projects. The Tesoro Extension Project is located in south Orange County and is therefore subject to the requirements of the WQMP and the HMP as a new development project pursuant to the MS4 permit.</p> <p>The WQMP and HMP are specific to the south Orange County watershed management area and contain structural BMP requirements designed to protect the receiving waters in the area from the effects of hydromodification. Hydromodification refers to changes in the magnitude and frequency of stream flows due to urbanization and the resulting impacts on receiving channels, such as erosion, sedimentation, and potential degradation of in-stream habitat.</p> <p>It is now recognized that hydromodification approaches and strategies based on flow management need to be expanded to consider sediment management because they trap sediment and release sediment-starved water to downstream areas. The effects of coarse sediment deficit in the receiving waters must be considered to fully address hydromodification impacts. Course sediment functions to naturally armor the stream bed and reduce the erosive forces associated with high flows. Absence of coarse sediment often results in erosion of in-channel substrate during high flows. In addition, coarse sediment contributes to the formation of in-channel habitats necessary to support native flora and fauna.</p> <p>The HMP contains provisions for avoiding coarse sediment yield areas and implementation of measures that allow coarse sediment to be discharged to receiving waters to prevent sediment deficit. Section V.B. of the Revised Tentative Order R9-2013-0007 requires that the design measures of the post construction BMPs for the Tesoro Extension Project comply with the draft</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>

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	<p>Model Water Quality Management Plan (Model WQMP) for South Orange County, dated December 16, 2011, and the draft South Orange County Hydromodification Plan (HMP), dated December 11, 2011.</p> <p>The Revised Tentative Order, section V.B. requires F/ETCA to submit and implement an updated Runoff Management Plan by October 31, 2013, prepared and certified by a properly qualified engineer, that clearly indicates the means for compliance with all of the requirements in the HMP, including those regarding coarse bed material sediment supply. The HMP contains provisions for avoiding coarse sediment yield areas and implementation of measures that allow coarse sediment to be discharged to receiving waters to prevent sediment deficit. The HMP general approach to ensure maintenance of the pre-project sediment supply is a three-step process: 1. Determine whether the site is a significant source of bed material to the receiving stream; 2. Avoid significant bed material supply areas in the site design; 3. Replace significant bed material supply areas that are eliminated through urbanization.</p> <p>An alternative compliance option allows the project applicant to model the site conditions and the receiving stream and provide additional mitigation in site runoff to compensate for the reduction (or addition) of bed material. This option may only be used if the general approach outlined above is deemed infeasible by the permitting authority, or if the project site design requires significant alteration of on-site streams.</p>	
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Comment No.	Waste Discharge Requirements	
11	<p>COMMENT: Section VII.B. Update this section to reflect submission of Final HMMP on 2/15/13. Add new section B. Update the Compensatory Management Plan Development section to address submission of Final HMMP.</p> <p>RESPONSE: The San Diego Water Board accepted the deletion of original Section VII.B and added the new Section VII.B to address the procedures that will be associated with the San Diego Water Board approval of the Final HMMP. See Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>
12	<p>COMMENT: Section VII.E.1 Compensatory Mitigation, Timing of Compensatory Mitigation. Revise this section to allow for permittee to comply with planting conditions of California Department of Fish and Wildlife Section 1602 Agreement and other permits.</p> <p>RESPONSE: The San Diego Water Board extended the amount of time to complete the compensatory mitigation projects from 12 months to 18 months to account for an additional rainy season for planting. See Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>
13	<p>COMMENT: Section VII.E.4 Compensatory Mitigation. Add a new requirement "The five-year maintenance and monitoring program contemplated by the Final HMMP shall begin upon completion of construction of the compensatory mitigation projects."</p> <p>RESPONSE: The San Diego Water Board did not accept the addition of this new requirement. The timing of monitoring and maintenance will be determined in the approved Final HMMP.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>

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Comment No.	Waste Discharge Requirements	
14	<p>COMMENT: Section VII.F.3 Conservation Easement. Change this section to clarify that F/ETCA will continue to hold the Conservation Easement for the Upper Chiquita Canyon Conservation Area (referred to as Mitigation Area B in the Final HMMP), as agreed to in the 1996 Conservation Easement agreement between the F/ETCA, the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife. The Conservation Easement for Mitigation Area A will be held by the Reserve at Rancho Mission Viejo.</p> <p>RESPONSE: The San Diego Water Board added a reference to Section F.2 regarding the 1996 Conservation Easement agreement between the F/ETCA, the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife and included the document as an attachment to the Revised Tentative Order. See Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>
Comment No.	Waste Discharge Requirements	
15	<p>COMMENT: Section VII.F.3 Conservation Easement. Language adjusted for consistency with comments submitted by RMV.</p> <p>RESPONSE: The San Diego Water Board did not accept this change request. Satisfactory conservation easements must include the elements listed in this section of the Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>

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Comment No.	Waste Discharge Requirements	
16	<p>COMMENT: Section VII.F.5 Conservation Easement. Language adjusted for consistency with comments submitted by RMV. Addition of “Recordation of the Conservation Easement shall occur no later than ten (10) days after the Discharger receives concurrence from the San Diego Water Board and any other agency with jurisdiction that the Compensatory Mitigation Sites have achieved the performance criteria set forth in the Final Habitat Mitigation and Monitoring Plan.”</p> <p>RESPONSE: The San Diego Water Board accepted this change request with modifications that add reference to the approved Final HMMP. See Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>
Comment No.	Waste Discharge Requirements	
17	<p>COMMENT: Section VII.F.6 Conservation Easement Suggested change regarding the F/ETCA as an authorized entity to hold an endowment for long-term management of mitigation sites, per California Civil Code section 815.3 and California Government Code section 65965 et seq. Language also requires the F/ETCA to provide specific annual budget line item to ensure compliance with the interim and long-term management of the Conservation Easements and the mitigation identified in the Final HMMP.</p> <p>RESPONSE: The San Diego Water Board accepted this change request with modifications that remove the inclusion of the San Diego Water Board in the Endowment Agreement and retained the requirement for proof of full funding for the endowment within 6 months of the issuance of the Order. See Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>

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Comment No.	Waste Discharge Requirements	
18	<p>COMMENT: Section VII.G.1 Letter of Credit. The financial security is posted separately for long-term management activities. In compliance with other resource agency approvals and financial security obligations for project mitigation areas, the F/ETCA is preparing a separate escrow agreement and requests that the escrow agreement with California Department of Fish and Wildlife (CDFW) be submitted to the Regional Board as proof of compliance with the provisions of the Regional Board WDR. The financial security will be used to secure construction and establishment of the compensatory mitigation sites.</p> <p>RESPONSE: The San Diego Water Board accepted this change request with modifications that require “financial assurances” acceptable to the San Diego Water Board. See Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>
Comment No.	Waste Discharge Requirements	
19	<p>COMMENT: Section VII.G.2 and 3 Letter of Credit. Language updated to reflect applicants request to prepare a financial security agreement acceptable to CDFW and the Regional Board. A separate financial assurance agreement would be prepared for the Regional Board and CDFW to allow each respective agency to withdraw funds to ensure completion of identified mitigation.</p> <p>RESPONSE: The San Diego Water Board accepted this change request with modifications that require “financial assurances” acceptable to the San Diego Water Board. See Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>

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Comment No.	Waste Discharge Requirements	
20	<p>COMMENT: Section VIII.A.8 Reporting Requirements. Annual Monitoring Report - Language adjusted for consistency with comments submitted by RMV.</p> <p>RESPONSE: The San Diego Water Board accepted this change request with modifications that require submittal of all reports that satisfy this section to the San Diego Water Board. See section IX.A.8 of the Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>
21	<p>COMMENT: Section VIII.D Reporting Requirements. Project Completion Report - Suggest for consistency with the design build contract provisions, which call for preparation of these items upon final acceptance of the Project.</p> <p>RESPONSE: The San Diego Water Board accepted this change request. See section IX.D of the Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>
22	<p>COMMENT: Section VIII.K Reporting Requirements, Duly Authorized Representative. It appears the signatory requirements are in Section J not the section listed.</p> <p>RESPONSE: The San Diego Water Board corrected this error. See section IX.K of the Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>
23	<p>COMMENT: Section IX.F Provisions, Inspection and Entry. Suggested revisions included at request of landowners adjacent to Discharger right-of way.</p> <p>RESPONSE: The San Diego Water Board accepted this change request with modified language acceptable to the San Diego Water Board. See section X.F of the Revised Tentative Order.</p>	<p>Commenter: Valerie McFall, Director, Environmental Services, Transportation Corridor Agencies</p>

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Comment No.	Waste Discharge Requirements	
24	<p>COMMENT: Section VII.C requires the TCA to provide a description of the legal arrangements & financial assurance, protection & management of compensatory mitigation sites including reporting on same. Since RMVLT will be the long term manager of both compensation sites and The Reserve the conservation easement holder, RMV requests that we be afforded the opportunity to review all information developed to respond to this condition to ensure that the information provided accurately reflects the obligations that RMV already has regarding long term management, reporting, etc.</p> <p>RESPONSE: The San Diego Water Board did not accept this change. RMV should submit this request to the San Diego Water Board after the Revised Tentative Order has been adopted.</p>	<p>Commenter: Laura Coley Eisenberg, Vice President, Rancho Mission Viejo</p>
Comment No.	Waste Discharge Requirements	
25	<p>COMMENT: Section VII.F. RMV and the Transportation Corridor Agencies (TCA) are parties to a Settlement Agreement (SA) resulting from prior litigation. This settlement agreement pertains partly to TCA's use of RMV property for mitigation purposes for impacts associated with the construction of SR-241. The settlement agreement contains certain terms and conditions related to mitigation for impacts to wetlands including the form of, parties to, and timing of recordation of conservation easements. Specifically, per Section 2.f (ii) "RMV shall cause to be granted to The Reserve, and shall cause to be recorded in the Official Records of the County of Orange a Spreader Amendment to the RMV Conservation Easement over the Wetlands Acreage not later than ten (10) days after the date upon which the Agency notifies RMV that it has obtained, and provides RMV with, written evidence that it has achieved the Wetlands Performance Standards established by the Wetlands Resource Agencies." Thus the SA establishes the following 1) the form of the Conservation Easement – the RMV Conservation Easement, 2) who the grantor is - RMV, 3) who the grantee is – The Reserve at Rancho Mission Viejo and; 4) the timing of when the conservation easement is to be recorded.</p> <p>RESPONSE: The San Diego Water Board accepted this change. See Revised Tentative Order.</p>	<p>Commenter: Laura Coley Eisenberg, Vice President, Rancho Mission Viejo</p>

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Comment No.	Waste Discharge Requirements	
26	<p>COMMENT: Section VIII.A.8. This section requires preparation of an annual report by the easement holder. RMV prepares an annual compliance and effectiveness report for USFWS, CDFW and the USACE to fulfill the requirements of the SSHCP, MSAA and SAMP. We request the addition of: "At the discretion of the Conservation Easement holder, the report may be prepared and submitted as a separate report, or the information may be included in the Annual Compliance & Effectiveness Report prepared for the Juan Creek Watershed/Western San Mateo Creek Watershed Special Area Management Plan and Southern Subregion Habitat Conservation Plan".</p> <p>RESPONSE: The San Diego Water Board accepted this change request with modifications that require submittal of all reports that satisfy this section to the San Diego Water Board. See section IX A.8 of the Revised Tentative Order.</p>	<p>Commenter: Laura Coley Eisenberg, Vice President, Rancho Mission Viejo</p>
Comment No.	Waste Discharge Requirements	
27	<p>COMMENT: Page 23. Section IX.F.4 - in order to clarify where sampling and monitoring may occur, we request the addition of language to designate that monitoring or sampling will be conducted in areas that are regulated by the Order and 24-hour notice for entry to the premises.</p> <p>RESPONSE: The San Diego Water Board accepted this change request with modified language acceptable to the San Diego Water Board. See section X.F of the Revised Tentative Order.</p>	<p>Commenter: Laura Coley Eisenberg, Vice President, Rancho Mission Viejo</p>

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Comment No.	Form Letter A	
28	<p>COMMENT: I am writing in support of the Transportation Corridor Agencies request (TCA) for a Waste Discharge Requirement permit, as described in Tentative Order No. R9-2013-0007. The TCA's planned extension of the SR-241 (the Tesoro Extension) is a much-needed transportation project that would enhance our local economy, public safety and quality of life. But it does so with incredible attention to natural resource protection and enhancement throughout and beyond its project area.</p> <p>In fact, after reading about the TCA's measures to protect water quality, it is clear that they go well above what is required and would be an asset to the natural environment. Measures like the porous asphalt would help ensure that unavoidable pollutants, like brake dust and motor oil, are captured before reaching waterways. It is my understanding that this is an innovative solution that is not required of the TCA but is nevertheless being implemented to ensure the utmost care for our environment. This is in addition to other water quality mitigation measures including Extended Detention Basins (EDBs) and bioswales. The water runoff from this roadway extension will mimic pre-construction conditions in both flow and water quality.</p> <p>The avoidance, restoration and creation of new wetland habitat is also a testament to the TCA's commitment to our natural surroundings. These wetlands will not only attract wildlife, but also serve as a natural source of water treatment to preserve local watersheds. Together with the planned water treatment facilities, the TCA's strategy to capture and treat runoff before reaching local watersheds is a critical element to their plan and will improve the health of our local ecosystems.</p> <p>These measures closely align with the Water Board's mission to preserve, enhance and restore the quality of California's water resources and ensure their proper allocation and efficient use for the benefit of present and future generations. Therefore, I urge you and your colleagues to support Tentative Order No. R9-2013-0007 and grant the TCA its Waste Discharge Requirement Permit at your hearing on March 13.</p> <p>RESPONSE: The Commenters' remarks are duly noted.</p>	<p>Commenters: Laer Pearce, Duane Cave, April Josephson, Ben Boyce, Thomas Rath, Kate Keena, Robert A. Allaire, Martie McIntosh</p>

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 Tentative Order No. R9-2013-0007

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Comment No.	Form Letter B	
29	<p>COMMENT: I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>As a member of the LA/OC Building & Construction Trades Council, I support needed and well planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. The economic downturn over the past several years has had a negative impact on me personally and on our industry. The State Route 241 Tesoro Extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Picoll-5 interchange improvement and the 1-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. Environmental impact studies have shown that the project has minimal impacts and the storm water runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate.</p> <p>As an informed Southern California resident, I understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenters' remarks are duly noted.</p>	<p>Commenters: Jaime Barton, Gene Brewer, Douglas M. Chappell, Ernest Oviedo, Richard Samaniego, Paulina Le, David Martinez, Richard Vasquez, Neal Lauzon, Tim West, Jonathan Garrido, Dave Ruhland, Guy Krisfalusi, Dwayne Garrido, Matthew Iantorno, Jeff Gatlin, Rick Hecht, Rick Peterson, Douglas Mangloine, Dean A. Francis, Sean Ferris, Fred Young, David A. Lawhorn, Jeff Fitzgerald, John Nonenmacher, Richard R. Sanchez, Shawn Parent</p>

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Comment No.	Form Letter C	
30	<p><u>COMMENT:</u> I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>I understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p><u>RESPONSE:</u> The Commenters' remarks are duly noted.</p>	<p>Commenters: Jancee Aellig, Beth L. Armocon, Sandy Condello, Linda Koppererud, Cathy Lee, Beth L. Meyer, Dennis Marracq, Cathy Nelson, Marie Siegel, Jim Rutter, Michele Rutter, John Albu, Virginia Clemens, Kate Jones, Elaine Smith, Lily Wakeman, Peggi Buff, Cindy Holmes, Joan Straka</p>

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Comment No.	Form Letter D	
31	<p>COMMENT: I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>I support needed and well-planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>As an informed Southern California resident, I understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenters' remarks are duly noted.</p>	<p>Commenters: Seung Sang, Jim Avery, Bernard A. Allen, Susan Andicochen, Marie Azaula, Doja Alwien, Nat Adam, Gary A. Bisch, Paul D. Berkery, Gregg R. Bond, S.K. Bennett, Erika Bennett, Daniel W. Boyd, Heather Baez, Robert L Brown, Burton Brown, Wendy Bucknem, Lawrence R Cann, Carol A. Cann, Tom Cameron, Michael Conte, Mary West, Susie Caskey, Erin Coates, Duane D. Cave, Tracy Y. Carleten, Dale Chassey, Merideth Cann, Gerald Cox, Jeannie Cisneros, Craig Dibbey, Susan Dinkmeyer, Hanh Dao, Scottie Dinh, Alice Deculis, Cherie D. Eifflen, Ronda Edmondson, Erich P. Engler, Laura Freese, Richard Fisher, Gary Fensel, Gary Gossard, Marc S. Glasser, Joshua Haskins, Paul H. Henry, Sherry Hodges, Kenneth A. Hall, James Hateley, Roger Hatton, Bart Harashi, James B. Hamlin, Farinaz Jalaie,</p>

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		Jason King, Filomena Koranyi, Kerri Korfanta, Constance Kolajtowicz, Issam Khalaf, David Ludwig, Dayton Larson, Alayne Lonigro, Leonilo Lasam, Arnold Leos, Brian Lochrie, Mark Montgomery, Maryiem Ann Matsil, Adabel Mercado, Donea Moore, Kimberly Markert, Charles S. Nills, Melissa McNeece, Kevin Moynihan, Mike Metcalf, George Mendewicz, Thomas Mathews, Alaedin Moubayed, Judith T. Magboo, Dennis Nespor, S. Nelson, Hisham Nothl, Kenneth A. Hall, Cuong Nguyen, Qnang Nguyen, John S. Nguyen, Rick R. Daniel, Darren Ousse, Debra Olson, Chenda Oh, Jorge Onglao, Ellen Otsuka, Seot Proud, Lala Pakmond, Mark A Rottman, Brian Richardson, April Rath, Thomas Rath, Michael Suyderm, Bryan Seeger, Frank Smith, Sherry Sweitzer, Lauren Scheyfer, Scot Fap, Wendy Bucknum, James Siegel, Marie A.
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		<p>Prigel, Seong Sang, Abdou Seydi, Mark D. Snider, David L. Simpson, Andy Stephenson, Lili Stapleton, Tinamarie Smart, Samuel Sims, Bart Stanley, Don Tryon, Elaine Tracy, Holly C. Thayer, David W. Thayer, Melissa Villareal, Tom Vlahos, Mary Visonte, Peggy Nunn, Jody Vaughn, Vera Vumanvich, Karim Varschochi, Alice V. Villadlobos, Shaddon Widor, Paul Whitelock, Roy Woehern, Ting Wang, Stephanie Winstead, Joseph G. Williams, Karla Williams, Stephen R. Wilson, Lynne Wood, Julie Williams, H.E. Wade, Jerry Zechmeister, Christino Zheng, Sam Xie, William Kellyer, Nancy Hunt, Francis Hicks, 20 illegible signatures</p>
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Comment No.	Form Letter E	
32	<p>COMMENT: I support the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>Well-planned transportation and infrastructure projects like the Tesoro Extension build prosperous communities. With the large-scale residential/commercial construction underway at Rancho Mission Viejo, it's vital that 1-5 have an alternative route -that route needs to be the 241 Toll Road's Tesoro Extension.</p> <p>TCA will create, restore and/or enhance 34.82 acres of habitat for .4 acre of impact the extension will have. TCA will utilize best management practices to maintain existing drainage flow patterns and treat all road runoff to the maximum extent before discharging to receiving waters to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>Join me and support TCA's WDR application.</p> <p>RESPONSE: The Commenters' remarks are duly noted.</p>	<p>Commenters: Dallas A. Wilson, Laura Syme, Steven Tayanipour, Susan Strauss, Trevor Trumbo, Jim Priestley, Robert Lung, Denise Campbell, Sylvia Prata, Marti Mcloud, Nesa Anderson, Joe Tringale, Steve Pattinson, Philip DeRose, Searl Stock, Bill Ring, Lori Olin, Harold Kaufman, Julie Kern, Kevin Halliburton, Veronica Seyde, Susan Carroll, Dana Velarde, Howard Miller, Kelli Goradia, Dave Redderson, Morlene Atkinson, Len Malena, Mark Kleabir, Scott Brusseau, Jerry Rose, Charles Rousseau, Richard Olson, Cathy Malena, Jan Shomaker, Makr Palma, Melanie Coppen, Harrison Long, Melissa Villareal, Dave Stefanides, Ed Bonilla, Linda Williams, Donna Wharton, James Hamlin, Chris Holland, Robert Israel, Herb Bunker, Donna Kalez, Richard Wilson, Melinda Stone, Michael Schoenwald,</p>

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		<p>Michael Stone, Donald Moe, Edward J. Synicky, Robert Fiorillo, Thomas Schroeder, Judith Magboo, Christopher Martin, Mike Phillips, Alan Hisasuna, Melanie Priest, David Rudin, Michael Tegtmeyer, Leonard Savala Jr., Sean Savala, Curtis R. Basnett, Ron Thompson, Marjourie Baumgartner, George Leemon, Ron Getz, Linda Erickson, Erin Oskorus, Ron McCart, Preston W. Walrath, Aaron Dyer, Robert Baker, Judy Aldredge, George Baerveldt, Pauline Baerveldt, Christine Cabori, Beauford Phelps, Pautrice Revelle, Marcus Molina, David Graves, John Kinney, Tom Oneil, Loring Bean, Robert Hutchins, Rita Tayenaka, Terry Brennan, Maheswaran Raveendra, Steven Jordan, Jim Miyao, Troy Neuenswander, Jay Akar, Allan Williams, Maurice Hansen, Chris Mann, Russell Lind, Andre Jabbour, Steve Zegler, Rom R Lyte, Dustin Upland, William Chute, Jeff Doyle,</p>
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		Colleen Franco, Homer Wishek, Andy Pitchess, Gary Robertson, Bud Cowan, Jeff Turner, Joe Yezbak, Ronald Hopwood, Scott Craig, Jeffrey Stallings, Dan Wickham, Cliff Neill, Marian Potter, Tom Beadle, Dan Watkins, Randolph Journitz, Ed Lynch, Hun Choe, Jerry Pabbrowee, Barbara Beier, Sharon Denisi, Carlene Owen, Linda Erickson, Jonathan Layne, William Engelke, Shannon Griego, Carol Hollinger, Lou Epstein, Bruce MacCaul, Thomas Kelly, Brent Praegitzer, Jennings Pierce, James Gregerson, Greg W, Bill Yousse, Leonard Johnson, James Walcik, Jack Caswell, Thu Nguyen, Dale Todd, April Rath, Thomas Rath, John McCarthy, Jeff Solt, Dee Ann Isaacs, Cheryl Gardarian, , Mike Pearson, David Colwell, David Weiss, Darren Blume, Jane Wallace, Jeff Delrey, Bernie Hittner, Joe Jenkins, Robert Kuhn, Audrey Schmidt,
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		Kevin Akrami, Rudy Pellertiti, Ananta Mukerji, Bill McMillen, Sue Ferrier, Kathy Avila, Len Todisco, Bert Schipper, Christopher Vance, Julie Keck, Jerry Miller, Kamran Kazem, Stanley White, Patty Tate, Charles French, Jerome Sheehy, Liz Medina, Rudolf Brutoco, Norman Witkin, Bill Walkup, Shari Walkup, Ralph Wilson, Patrick Coyle, Jean Biggs, Jack Smith, Steve Caporaso, Christian Mack, Alan Williams, Claudine Bovich, Margaret Brutocao, Roberto Brutocao, Ryan Gauss, Dennis Roy, Joseph Wightman, Michael Geyer, Stacy Lambeth, Bill Chronister, Don Mueller, Kristi Norton, Bonnie Fickes, Richard Church, Julie Doyle, James Napolitano, Rick Church, Eileen Church, Jesse Pacheco, Debra Raley, Carla Lane, Mitch Mulino
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Comment No.	Form Letter F	
33	<p>COMMENT: Infrastructure is crucial to economic growth and is extremely important to new home buyers. With that in mind, as a member of the Orange County Association of Realtors, I'm proud to support the State Route (SR) 241 Tesoro Extension. With 14,000 new homes and five million square feet of commercial space already approved for Rancho Mission Viejo, with parts of this development already under construction, the SR 241 Tesoro Extension will improve mobility in the area, alleviate traffic on several heavily congested arterial roads that are already at capacity, and serve as a desperately needed alternative to Interstate 5 in a growing part of Orange County. Additionally, construction of this five mile extension will provide long-term economic benefits to the region as well as the state, and will create more than 2,400 jobs.</p> <p>Protecting our waterways is essential. Scientific studies show that this road can be built with virtually no negative impact on our local waterways. The total acreage of impacts on waterways regulated by the state is less than half an acre. Additionally, the various mitigation measures that are planned such as porous pavement, Austin sand filters, bio-swales and extended detention basins will ensure that this five mile roadway will be one of the most environmentally sensitive highways ever built. The storm-water runoff will be filtered and will mimic pre-development conditions in both water quality as well as water flow rates.</p> <p>Well planned infrastructure projects like this should be considered a model of excellence by regulatory agencies such as yours. I strongly encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenters' remarks are duly noted.</p>	<p>Commenters:Abe Sedghati, Ela Kitchen, Liberato Martinez, Shaun Smith, Gregory Mull, Cindy Bacigalupo, Timothy Doherty, Mike Hosseini, Joey Lee, Conocepcio Benniger, Michael Benniger, Alan Weinstein, Dennis Riviera, Barbara Holland, Dennis Stern, Randall A. Orchen, Jan Smith, Melanie D'Avanzo, Len Herman, Lisa M Dunn, Peter Granmainaro, Roberta J. Liscianobe, Charlie Lescuardo, Rita E. Tayenaka, Colleen Treyillo, Karen Lameijer, Karen Ba, Jefferey Wright, John Oliver, Tracy Roberts, Liz Claus, Jon Meyer, Joanne Frank, Tom Franco, Haley Hinman, Barbie Meyer, Jim Vitali, Susan P. McCabe, Edward Beverage, Mayra Burgoy, Mike Didelot, Judy Minor, Nicole Cinquini, Aaron Hanson, Steve Crowley, Kathy Wood, Ken J. Williams, Hugh Kice, Bob Anderson, Maurice N.</p>

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		Hansen, Cam Graeber, Nancy Taylor, Deborah Ferrari, Randell Let, Bill Godwin, MaryJean Fryar, Robert M. Boyer, David Biddle, Doug Montandon, Jon Moore, Geoffrey Fry, Bill Parker, Bob Fox, Chip Collins, Peter Oret, Elvira Evanoff, Janet Montandon, Sharle Camp, Sharon Custer, Lynne Suzananski, John Razzarrio, Lee Mequet, Perry Harris, Marlene Atkinson, Maxine Putman, Pat Lister, Lynn Richardson, Kevin Budde, Suzanne Mantille, Susan J. Jones, Linda Sachel, Mark Klein, Dan Chiose, Dora Newt, Valerie Grey, Kim Artinger, Nora McLaughlin, Guy Berghoff, Tracy Ann Roberts, Fausto Rebis, Robert Lee, Jerry Hannifan, Fae Driscoll, Gary Macrides, Beverly Barnes, Juan Seluen, J.J. Maxwell, Ed Larsen, Sylvia Tarkeshian, Terri A. Glenn, David Koffs, Sandra Sedler, Gary Tomasino, Daryl Meddings, Yoli Diaz, Julie Bullock, Michelle Triepke, John
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		Roberts, Peter Giammarinaro, Ellen Parker, Cheryl Lynch, Donna Hollingsworth, Linda Bethmann, Len Herman, Caroline Gerardo, Kim Olson, Renee Billszar, Michael King, Caroline Pitale, Lisa Runyon, Julie Wright, John Glass, Justin Van Leeuwen, Patti Van Leeuwen, Tina Hartman, M.L. Keys, Julie Graham, Pati Boyle, Mara Samuels, Tania Urbano, Ron Millican, Stacy Safion, Stephanie Walling, Sue Macfee, Patti Trevino, Kristi Geraty, Josephine Croy, Candy Babcock, Jerry Verplancke, Jerry Stronger, Linda Laurance, Ali Shahin, Matt Sharifi, Fernando Murillo, Julie Schreiner, David Findeisen, Vern Bock, Marie Langgle, David Niakmai, Elie Saad, Marianne Dumity, Tim Doherty, Jaylene Hall, Ron Peterson, Steve Price, Jeff Moran, Edilma Friesen, Shannon R. Peterson, Alfonso Debold, Linda Scarberry, Maurine Fischel, Nora Gallogly,
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		<p>Sheri Rathor, Kathy Lowe, Joan Bannigan, MJ Karimian, Ronald Sinclair, Richard Cordova, Tracy Ann Roberts, Jamie Luck, Judith Garvy, Denise Sturn, Jason McMahan, Timothy Wright, Steve England, Joni Zarka, May Seguin, Mary Dick, Ladera Ranch, Illegible Signature (Trabuco Canyon), Cen Jeli</p>
<p>Comment No.</p>	<p>Support Tesoro Petition</p>	
<p>34</p>	<p>COMMENT: We the undersigned are residents of South Orange County and are writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>All of us support needed and well-planned transportation projects such as this one because we recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (1-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, 1-5 is the only north-south non-arterial route available for residents and businesses in South Orange County; I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortegall-5 interchange improvement, the La Pata Gap Closure Project, the Picoll-5 interchange improvement and the 1-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region.</p> <p>TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum</p>	<p>Commenters: David Weaver, Richard Hill Adams, Sheila A. Caruso, Larry Kramer, David Ludwig, Mark Ruddy, Ann Ronan, Ted Roberts, Pat March, Nathalie Lopez, Patty Raves, Kenneth T. Smith, James R. Miller, Stephanie Frisch, Jennifer Pointer, Randi Peshkin, Steve Cohon, Steve Rose, Ron Hanson, Donald L. Hickman, Greg Sykes, Lorinda Sloss, Jennifer Greene, John Frankel, Dorothy I. Franka, David F. Adams, Paul St. Pierre, Paul Jenner, Christopher L. Hon, Arturo Galindo,</p>

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	<p>extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>We are informed Southern California residents, and understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p><u>RESPONSE:</u> The Commenters' remarks are duly noted.</p>	<p>Raymond Perez, John Cacedora, Wu McDougale, Arthur Gihidich, Joe Soto, John Gillotti, Tom Harbad, Carol Dadeker, F.D. Fuyynn, Erin Doyle, Jennifer Greene, James L. Laurentzen, Chris Adams</p>
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Comment No.	Letter of Support	
35	<p>COMMENT: As the Mayor Pro Tem of the City of San Juan Capistrano, I am writing to ask that you support the Foothill/Eastern Transportation Corridor Agency's Waste Discharge Requirement application. Residents and businesses throughout my city are directly impacted everyday by the lack of a viable alternative to the Interstate 5 (I-5). Because there is no alternative route to the I-5, completing the Tesoro Extension is a crucial component to the overarching mobility plan designed to help alleviate the traffic congestion throughout the region.</p> <p>Included with the traffic relief benefits for residents, businesses and visitors, construction of this nearly-five-mile extension will also create more than 2,000 Orange County jobs and an additional 407 jobs statewide. Job creation and traffic relief are both desperately needed.</p> <p>In addition to the jobs and enhanced mobility throughout the region, the Tesoro Extension has extremely minimal impact to waters regulated by the State (less than a half-acre). This project will also benefit the region's air quality as identified in the South Coast Air Quality Management District's 2012 Air Quality Management Plan.</p> <p>I strongly encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of San Juan Capistrano, Mayor ProTem Allevato</p>

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Comment No.	Letter of Support	
36	<p>COMMENT: I am writing to you in reference to the Waste Discharge Requirement (WDR) permit application submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>As a former member of your Board, and a former Mayor and City Councilman of the City of Rancho Santa Margarita, I urge your adoption of Tentative Order No. R9-2013-007. After reviewing the Tentative Order and accompanying documents, I believe both the applicant and the Board have developed a well-defined and comprehensive plan for mitigation of potential pollutants entering the state waterways.</p> <p>TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>I support needed and well-planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Gary Thompson, former Board Member of the California Water Quality Control Board, San Diego Region and a former Mayor and City Councilman of the City of Rancho Santa Margarita</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
37	<p>COMMENT: Received February 19, 2013. As the Mayor of the City of Mission Viejo, I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>I support needed and well-planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach,</p> <p>TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin,</p> <p>I understand the need for viable transportation projects and encourage you to approve TCA's WDR application,</p> <p>Received February 15, 2013. As the Mayor of the City of Mission Viejo, I am writing to ask that you support the Foothill/Eastern Transportation Corridor Agency's Waste Discharge Requirement application. Because there is no alternative route to the I-5, completing the Tesoro Extension is a crucial component to the overarching mobility plan designed to help alleviate the traffic congestion throughout the region.</p> <p>Included with the traffic relief benefits for residents, businesses and visitors, construction of this nearly-five-mile extension will also create more than 2,000 Orange County jobs and an additional 407 jobs statewide. Job creation and traffic relief are both desperately needed in Orange County. In addition to the jobs and enhanced mobility throughout the region, the Tesoro Extension has extremely minimal impacts to waters regulated by the State (less than a half-</p>	<p>Commenter: City of Mission Viejo, Mayor Reardon</p>

Response To Comments
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	<p>acre). This project will also benefit the region's air quality as identified in the South Coast Air Quality Management District's 2012 Air Quality Management Plan. I strongly encourage you to approve TCA's WDR application.</p> <p><u>RESPONSE:</u> The Commenter's remarks are duly noted.</p>	
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Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
38	<p>COMMENT: As a Council Member of the City of Anaheim, I am writing to ask that you support the Foothill/Eastern Transportation Corridor Agency's Waste Discharge Requirement application. Residents and businesses throughout my city are directly impacted everyday by the lack of a viable alternative to the Interstate 5 (I-5). Because there is no alternative route to the I-5, completing the Tesoro Extension is a crucial component to the overarching mobility plan designed to help alleviate the traffic congestion throughout the region. Included with the traffic relief benefits for residents, businesses and visitors, construction of this nearly-five-mile extension will also create more than 2,000 Orange County jobs and an additional 407 jobs statewide. Job creation and traffic relief are both desperately needed. In addition to the jobs and enhanced mobility throughout the region, the Tesoro Extension has extremely minimal impact to waters regulated by the State (less than a half-acre). This project will also benefit the region's air quality as identified in the South Coast Air Quality Management District's 2012 Air Quality Management Plan. I strongly encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Anaheim, Council Member Kring</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
39	<p>COMMENT: As the Mayor Pro Tem of the City of Tustin, I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County. I support needed and well-planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach. TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin. I understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Tustin, Mayor Pro Tem Puckett</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
40	<p>COMMENT: As the California State Assembly Member representing the 73rd District which includes the South Orange County cities of Aliso Viejo, Coto de Caza, Dana Point. Ladera Ranch. Mission Viejo, Laguna Hills. Laguna Niguel, Rancho Santa Margarita, San Clemente and San .Juan Capistrano I ask that you support the Foothill/Eastern Transportation Corridor Agency's Waste Discharge Requirement. Residents and businesses throughout my District are directly impacted everyday by the lack of a viable alternative to the Interstate 5 (I5). Because there is no alternative route to the I-5, completing the Tesoro Extension is a crucial component to the overarching mobility plan designed to help alleviate the traffic congestion throughout the region.</p> <p>Included with the traffic relief benefits for residents, businesses and visitors, construction of this nearly-five mile extension will also create more than 2,000 Orange County jobs and an additional 407 jobs statewide. Job creation and traffic relief are both desperately needed. In addition to the jobs and enhanced mobility throughout the region, the Tesoro Extension has extremely minimal impact to waters regulated by the State (less than a half-acre). This project will also benefit the region's air quality as identified in the South Coast Air Quality Management District's 2012 Air Quality Management Plan.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: State of California, Assemblywoman Harkey</p>

Response To Comments
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June 19, 2013

Comment No.	Letter of Support	
41	<p>COMMENT: As a Council Member of the City of Santa Ana, I am writing to ask that you support the Foothill/Eastern Transportation Corridor Agency's Waste Discharge Requirement application. Residents and businesses throughout my city are directly impacted everyday by the lack of a viable alternative to the Interstate 5 (I-5). Because there is no alternative route to the I-5, completing the Tesoro Extension is a crucial component to the overarching mobility plan designed to help alleviate the traffic congestion throughout the region. Included with the traffic relief benefits for residents, businesses and visitors, construction of this nearly-five-mile extension will also create more than 2,000 Orange County jobs and an additional 407 jobs statewide. Job creation and traffic relief are both desperately needed. In addition to the jobs and enhanced mobility throughout the region, the Tesoro Extension has extremely minimal impact to waters regulated by the State (less than a half-acre). This project will also benefit the region's air quality as identified in the South Coast Air Quality Management District's 2012 Air Quality Management Plan. I strongly encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Santa Ana, Council Member Martinez</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
42	<p>COMMENT: As a councilmember of the City of Yorba Linda, I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County. I support needed and well-planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>TCA proposes to create, restore and/or enhance 34.82 acres of habitat for.40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>I understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Yorba Linda, Councilmember Schwing</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
43	<p>COMMENT: As a council member representing the City of Oceanside, I am writing you to express my support to approve the Foothill/Eastern Transportation Corridor Agency's (TCA) Waste Discharge Requirement (WDR) for the Tesoro Extension project in southern Orange County.</p> <p>I have long supported this well-planned transportation project because, when completed, it will be the only alternative to the I-5 to connect North San Diego County with Orange County. Currently, the I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. The I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach, critical to improving our struggling economy.</p> <p>Not only will this project create jobs, the TCA also proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin. In closing, I strongly encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Oceanside Councilmember Kern</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
44	<p>COMMENT: On behalf of the Orange County Board of Supervisors, I am writing to advise you of our support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>Orange County supports needed and well-planned transportation projects such as this one as it recognizes how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension, approximately five miles long, will extend the 241 Toll Road from its current terminus at Oso Parkway to Cow Camp Road in the vicinity of Ortega Highway and provide an alternative route to the heavily traveled Interstate-5 (I-5) and local streets. It will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region.</p> <p>TCA proposes to create, restore and/or enhance 34.82 acres of habitat for DAD acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>On behalf of the Orange County, the Orange County Board of Supervisors encourages the California Regional Water Quality Control Board, San Diego Region to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Orange County Board of Supervisors, Chairman Nelson</p>

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 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
45	<p>COMMENT: I currently serve Oceanside as its Deputy Mayor and I am writing to express my strong support to approve the Foothill/Eastern Transportation Corridor Agency's (TCA) Waste Discharge Requirement (WDR) for the Tesoro Extension project in southern Orange County.</p> <p>I have long been on record supporting this well-planned transportation project because, when completed, it will be the only alternative to I-5 to connect North San Diego County with Orange County. Currently, I-5 is the only north south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach, critical to improving our struggling economy.</p> <p>Not only will this project create jobs, the TCA also proposes to create, restore and/or enhance 34.82 acres of habitat for.40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin. I strongly encourage you to approve TCA's WDR application and appreciate your consideration of this request.</p> <p>Thank you.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Oceanside, Deputy Mayor Feller</p>

Response To Comments
Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
46	<p>COMMENT: As the Mayor of the City of Laguna Niguel, I am writing to ask that you support the Foothill/Eastern Transportation Corridor Agency's Waste Discharge Requirement application. Residents and businesses throughout my city are directly impacted every day by the lack of a viable alternative to the Interstate 5 (I-5). Because there is no alternative route to the I-5, completing the Tesoro Extension is a crucial component to the overarching mobility plan designed to help alleviate the traffic congestion throughout the region. We are well aware of the importance in addressing water quality runoff issues and have been happy to work with you in the past on finding creative solutions. I hope you will agree that the solutions proposed by TCA are innovative and comprehensive, and will address the water quality issues you are concerned with. My request for your support of the TCA's WDR application is made in my individual capacity as Mayor of the City of Laguna Niguel, in as much as this matter has not been considered by the full City Council. Thank you for your time and consideration and I strongly encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	Commenter: City of Laguna Niguel, Mayor Ming

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
47	<p>COMMENT: As the Mayor of Rancho Santa Margarita, my key priorities include ensuring a high quality of life, continued economic growth and the overall vitality of the community. The Tesoro Extension is crucial to the mobility of our residents and the economic growth of our local business community. This five mile extension will allow an entirely new customer and client base to discover Rancho Santa Margarita.</p> <p>Local tax revenue is essential to the important and necessary government services our city provides. Our business community accounts for a significant amount of the tax revenue that supports the important government programs that enhance the lives of residents and businesses throughout the region.</p> <p>The Rancho Santa Margarita City Council has repeatedly and unanimously supported extensions of the 241. The 241 extension will also create more than 2,400 jobs and provide traffic relief for the region. Businesses throughout south Orange County and northern San Diego County are impacted daily by the tack of an alternative route to the Interstate 5 freeway (I-5). This project will help to alleviate some of those issues.</p> <p>Environmental impact studies have shown that the project has minimal impacts. The stormwater runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate.</p> <p>The Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>With 14,000 homes and five million square feet of commercial space planned for Rancho Mission Viejo, it is imperative that the 241 Toll Road is extended so there is an alternate route to the I-5 freeway and our city streets.</p> <p>I urge you to support the TCA's Waste Discharge Requirement application and allow the Tesoro Extension to move forward. The Tesoro Extension is crucial to the economic growth and improved mobility throughout south Orange County.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Rancho Santa Margarita, Mayor Beall</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
48	<p>COMMENT: The Transportation Corridor Authority's ("TCA") planned extension the SR241 (the Tesoro Extension) is a much-needed transportation project that would enhance our local economy, public safety, and quality of life. The City believes that TCA has advanced its proposed project with careful consideration of natural resource protections and enhancements throughout, and even beyond, its project area. Today, I am writing to you in support of the TCA for a Waste Discharge Requirement permit, as described in Tentative Order No. R9-2013-0007. The City believes that the TCA's measures to protect water quality have been well above what is required by State law. Environmental Mitigation Measures such as the use of porous asphalt would help ensure that unavoidable pollutants (i.e., brake dust and motor oil) are captured before reaching waterways. Additionally, other water quality mitigation measures, including the use of Extended Detention Basins (EDBs) and bio swales would help mitigate any potential impacts to the environment in that water runoff from the proposed roadway extension would mimic pre-construction conditions in both flow and water quality.</p> <p>The avoidance, restoration, and creation of new wetland habitat proposed as part of the project are also a testament to the TCA's commitment to our natural surroundings. These wetlands will not only attract wildlife, but also serve as a natural source of water treatment to preserve local watersheds.</p> <p>Together with the planned water treatment facilities, the TCA's strategy to capture and treat runoff before reaching local watersheds is a critical element to their plan and would improve the health of our local ecosystems.</p> <p>The City believes that these measures are consistent with the San Diego Regional Water Quality Board's mission "to preserve, enhance and restore the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations." Therefore, I urge you and your colleagues to support Tentative Order No. R9-2013-0007 and grant the TCA its Waste Discharge Requirement Permit at your hearing on March 13, 2013.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Lake Forest, Mayor Voigts</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
49	<p>COMMENT: I am the Mayor Pro Tem of Newport Beach and I write as an individual to ask that you support the Foothill/Eastern Transportation Corridor Agency's Waste Discharge Requirement application. Residents and businesses throughout my city are directly impacted everyday by the lack of a viable alternative to the Interstate 5 (I-5). Because there is no alternative route to the I-5, completing the Tesoro Extension is a crucial component to the overarching mobility plan designed to help alleviate the traffic congestion throughout the region. Included with the traffic relief benefits for residents, businesses and visitors, construction of this nearly-five-mile extension will also create more than 2,000 Orange County jobs and an additional 407 jobs statewide. Job creation and traffic relief are both desperately needed. In addition to the jobs and enhanced mobility throughout the region, the Tesoro Extension has extremely minimal impact to waters regulated by the State (less than a half-acre). This project will also benefit the region's air quality as identified in the South Coast Air Quality Management District's 2012 Air Quality Management Plan. I strongly encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Newport Beach, Mayor Pro Tem Hill</p>

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June 19, 2013

Comment No.	Letter of Support	
50	<p>COMMENT: Economic growth and job creation is a focus of the Ladera Ranch Civic Council. In the past several years this priority has been heightened throughout the economic downturn. The Tesoro Extension IS crucial to the economic growth of our local business community. This five mile extension will allow new customer and client base to discover Ladera Ranch. Ladera Ranch is a community of approximately 25,000 residents in southern Orange County.</p> <p>The growth of our region is hinged upon the expansion of our infrastructure. Ladera Ranch supports the continued growth of development within southern Orange County. The State Route 241 extension from Oso Parkway to Cow Camp Road is a roadway construction project that will create more than 2,400 local jobs and will provide economic growth for the region. Businesses throughout south Orange County and northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway (I-5). This project will help to alleviate some of those issues.</p> <p>It is our understanding that the environmental impact studies have shown that the project has minimal impacts and the stormwater runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimic; nature both in water quality and in the water flow rate.</p> <p>We are pleased the Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>We urge you to support the TCA's Waste Discharge Requirement application and get the Tesoro Extension on the road to completion.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Ladera Ranch Civic Council, Chairman McCormick</p>

Response To Comments
Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
51	<p>COMMENT: On behalf of the Orange County Association of REALTORS®, we urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County. The Board of Directors of the Orange County Association of REALTORS® and the members of its Local Government Relations Committee continues to support the extension of the 241 South Toll Road. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, this roadway, both the Tesoro Extension and its eventual southern terminus, are a vital alternative to Interstate-5 (I-5) for which there is no other reasonable alternative for homeowners and businesses in south Orange County.</p> <p>On behalf of our Association, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	Commenter: Orange County Association of Realtors, Pres.Herman

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 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
52	<p>COMMENT: The movement of goods and services, economic growth and job creation are top priorities for the South Orange County Regional Chamber of Commerce (SOCRCC). The intensity and duration of the economic downturn has further heightened our focus and commitment to these important priorities. The Tesoro Extension is crucial to the economic growth of our local business community. This five mile extension will foster mobility and encourage an entirely new customer and Client base to discover south Orange County. The State Route 241 extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region, Businesses throughout south Orange County and northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway (I5), This project will support the movement of goods and services, and foster economic vitality. Environmental impact studies have shown that the project has minimal impacts and the stormwater runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate. The Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California. We urge you to support the TCA's Waste Discharge Requirement application and help to complete the Tesoro Extension.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: South Orange County Regional Chamber of Commerce, President Varner</p>

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 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter of Support	
53	<p>COMMENT: NAIOP, the Commercial Real Estate Development Association, is the leading organization for developers, owners, and related professionals in office, industrial and mixed-use real estate. The NAIOP SoCal Chapter serves Orange and Los Angeles Counties with a membership of nearly 1,000 companies.</p> <p>Southern California and its infrastructure are critical to the efficient movement of imports and exports, and the entire goods movement system, for the Country. Transporting goods in a timely and environmentally sensitive manner requires a sound infrastructure system. The State Route 241 Tesoro Extension Project before you is a desperately needed project, and NAIOP SoCal strongly supports the approval of the Foothill/Eastern Transportation Corridor Agency's (TCA) Waste Discharge Requirement (WDR) application.</p> <p>The TCA has a proven history of creating over 51 miles of environmentally sensitive highway projects, nearly 25% of the Orange County highway system that serve a vital need for the goods movement industry. The TCA's past performance is its true win-win success story. The WDR application before you is an excellent example of how the TCA not only meets the strict environmental standards that exist, but exceeds them. While the area of impact is very small, 0.40 acres, the TCA has included state-of-the-art Austin sand filters, bio-swales, extended detention basins and even permeable pavement in this project. The overall mitigation plan has a 15:1 ratio. This kind of effort should not only be approved but held out to others as a great example of a collaborative effort between project proponents and your staff.</p> <p>In addition to the water quality benefits of the project, it also aids in achieving the air quality standards of the Federal Clean Air Act. The Tesoro Extension Project is a Transportation Control Measure (TCM), which is an integral part of the entire Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP). TCM projects must be timely implemented or else a region may fall out of compliance, which can stop all transportation funding throughout the entire 6 county SCAG region. To help meet the air quality requirements, this project needs to begin by the end of 2013, this year.</p> <p>The planning is done. The benefits for water and air quality are clear. It is now time to move ahead. NAIOP SoCal respectfully requests your Honorable Board approve the TCA WDR application at your March 13 meeting.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: NAIOP, Committee Chairman Ivey</p>

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Comment No.	Letter of Support	
54	<p>COMMENT: The South Orange County Economic Coalition (SOCEC) was formed to support infrastructure projects that will enhance the economic growth of the region. Our board, which is made up of many of the top businesses in Southern California, strongly encourages your support for the Foothill/Eastern Transportation Corridor Agencies (TCA) Waste Discharge Requirement (WDR) permit application for the Tesoro Extension. South Orange County continues to feel the unfortunate impacts of the recession and our businesses and residents would benefit significantly from the Tesoro Extension.</p> <p>TCA has made a commitment to water quality treatment and ensuring minimal impacts from the project. This focus on water quality issues, despite the fact that this five-mile stretch impacts just four-tenths of an acre of water regulated by the Regional Board, shows that water quality is an issue TCA is taking very seriously. SOCEC supports infrastructure projects that strive to achieve the highest level of environmental standards in the industry.</p> <p>The Tesoro Extension will help to provide desperately needed traffic relief in our communities and the safety of a critical alternate route to the often congested Interstate-5 (I-5) freeway. A large scale residential and commercial construction project is currently being built at Rancho Mission Viejo that makes this project even more vital. Right now the I-5 freeway is the only major corridor through south Orange County. Extending SR-241 to the area near Ortega will help relieve traffic both on arterial streets, as well as the I-5 freeway. The project will allow south Orange County residents to continue to enjoy a high quality of life.</p> <p>In addition to the benefits of safety and traffic relief, economic growth will be spurred by the more than 2,000 jobs that will be created by this project. Our members' customers, clients and employees will be positively impacted by having an alternative to the I-5.</p> <p>On behalf of the South Orange County Economic Coalition, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: South Orange County Economic Coalition, Chairman Leach</p>

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Comment No.	Letter of Support	
55	<p>COMMENT: At the February 12, 2013 Meeting of the Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) Board of Directors, the Board took action to instruct and authorize the Board President to send a letter of support on behalf of the SAMLARC Board of Directors to the San Diego Regional Water Quality Control Board for the Waste Discharge Requirement Permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension of the 241 Toll Road in Orange County.</p> <p>The SAMLARC Board of Directors are elected representatives of Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC), a common interest development with than 13,645 members or homeowners.</p> <p>Protecting quality of life and property values are key issues for SAMLARC and its residents. Mobility and economic vitality throughout our region are also closely tied to ensuring the continuation of the high quality of life enjoyed by our community.</p> <p>In the past several years these priorities have been heightened by the economic downturn. The Tesoro Extension is crucial to the economic growth of our local business community. This five mile extension will allow an entirely new customer and client base to discover Rancho Santa Margarita and boost local tax revenue. Our business community accounts for a significant amount of the tax revenue that supports the important government programs that enhance the lives of residents throughout the region.</p> <p>The State Route 241 extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region. Businesses throughout south Orange County and northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway (I-5). This project will help to alleviate some of those issues. Environmental impact studies have shown that the project has minimal impacts and the stormwater runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate.</p> <p>The Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>On behalf of SAMLARC and the thousands of homeowners within the community, we urge you to support the TCA's Waste Discharge Requirement application and get the Tesoro Extension</p>	<p>Commenter: SAMLARC, President Chadd</p>

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	on the road to completion. RESPONSE: The Commenter's remarks are duly noted.	
Comment No.	Letter of Support	
56	<p>COMMENT: The Southwest California Legislative Council, a coalition of the Temecula Valley, Murrieta, Lake Elsinore & Wildomar Chambers of Commerce and the more than 2,200 businesses we represent. Strongly urge your support of the Transportation Corridor Agencies (TCA) application for a Waste Discharge Requirement permit for the SR 241 Tesoro Extension project in south Orange County.</p> <p>Fostering economic development, stimulating business growth, developing job creation and ensuring regional mobility are key areas of focus for the Southwest California Legislative Counsel (SWCLC). Not only do businesses need the ability to move goods quickly and efficiently around the region, but employees need connectivity to travel from their homes to their jobs.</p> <p>On behalf of our membership of public officials, utility providers, educational institutions and private sector business leaders throughout Southwest California, we support the SR 241 Tesoro Extension and are confident that it will foster mobility between Orange County and the Inland Empire.</p> <p>The environmental impact studies show that the project has minimal impacts and the water runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate.</p> <p>The Transportation Corridor Agencies is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for the residents and businesses throughout Southern California.</p> <p>We urge you to support the TCA's WDR application and get the Tesoro Extension on the road to completion.</p> <p>RESPONSE: The Commenters' remarks are duly noted.</p>	<p>Commenter: Southwest California Legislative Council, Dennis Frank, Chair, Gene Wunderlich. Legislative Liaison,</p>

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Comment No.	Letter of Support	
57	<p>COMMENT: Orange County Business Council stands in support of your approval of the Foothill/Eastern Transportation Corridor Agency's (TCA) application for the Waste Discharge Requirement (WDR) permit submitted for the Tesoro Extension project in Orange County. The business community in Orange County and throughout the region needs reliable commercial transportation corridors and alternatives. Mobility is the lifeblood of the Southern California economy. The project itself will create more than 2,400 jobs and once built the roadway will enhance economic growth throughout the region.</p> <p>There is 5.6 million square feet of commercial space planned for Rancho Mission Viejo. Today, the Interstate-5 (I-5) freeway is the only major corridor through South Orange County. Extending State Route-241 (SR-241) to the area near Ortega Highway will help relieve traffic both on arterial streets as well as the I-5 freeway,</p> <p>From an environmental perspective, the project is needed to improve regional air quality according to the South Coast Air Quality Management District (SCAQMD), Idling cars create more air pollution, which is why free-flowing traffic is crucial to both traffic relief and a reduction in air pollution,</p> <p>TCA has committed to building this five-mile extension using Best Management Practices (BMP) when it comes to stormwater runoff. The project impacts less than a half acre of water that is regulated by the state board, but the significant water treatment processes that will be implemented are designed to mimic pre-project flows and water quality.</p> <p>On behalf of Orange County Business Council, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Orange County Business Council, Bryan Starr, Senior Vice President. Government Affairs</p>

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Comment No.	Letter of Support	
58	<p>COMMENT: Economic growth and job creation are a priority for the LOAC Building and Construction Trades Council. In the past years this priority has been heightened throughout the economic downturn where upwards of 40 percent of our membership has been out of work at one point or another.</p> <p>State route 241 extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2400 jobs and will provide economic growth for the region. Businesses throughout South Orange County and Northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway and this project will alleviate some of those issues. With 5.6 million square feet of commercial space planned for Rancho Mission Viejo this project is badly needed to provide redundancy in the transportation systems.</p> <p>Environmental impact studies have shown that the project has minimal impacts and the storm water system that is proposed is state of the art that mimics storm water flow in both quality and water flow rate.</p> <p>The Foothill/Eastern TCA is going above and beyond to ensure this project is built to the highest environmental standards while providing the needed regional mobility and traffic relief required throughout Southern California.</p> <p>We urge you to support TCA's Water Discharge Requirement and get the Tesoro Extension on the road to completion.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Bricklayers & Allied Craftworkers Local No. 4, Darryl Brandt</p>

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Comment No.	Letter of Support	
59	<p>COMMENT: I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>As a member of the LA/OC Building & Construction Trades Council, I support needed and well planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. The economic downturn over the past several years has had a negative impact on me personally and on our industry. The State Route 241 Tesoro Extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region. The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. Environmental impact studies have shown that the project has minimal impacts and the storm water runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate.</p> <p>As an informed Southern California resident- I understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Bricklayers & Allied Craftworkers, Richard Whitney, President/Secretary-Treasurer</p>

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Comment No.	Letter of Support	
60	<p>COMMENT: I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>While the need for this vital transportation project is well documented, I will focus on the extensive measures taken in the planning and design of this project to protect water quality and to preserve receiving waters, a topic near and dear to my heart, as a storm water engineer and water quality expert. Having reviewed this aspect of the project, I can see that the potential impacts have been carefully considered, and multiple advanced mitigation measures have been incorporated into the project.</p> <p>For example, TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>I understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: TORY R. WALKER ENGINEERING, INC., President Tory Walker, P.E.</p>

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Comment No.	Letter of Support	
61	<p>COMMENT: This letter is written on behalf of the Trabuco Highlands Community Association, which represents the owners of 811 homes nested near the Cleveland National Forest in the City of Rancho Santa Margarita.</p> <p>Protecting quality of life and property values are key issues for the Trabuco Highlands Community Association and its residents. Mobility and economic vitality throughout our region are also closely tied-to ensuring the continuation of the high quality of life enjoyed by our community.</p> <p>In the past several years these priorities have been heightened by the economic downturn. The Tesoro Extension is crucial to the economic growth of our local business community. This five mile extension will allow an entirely new customer and client base to discover Rancho Santa Margarita and boost local tax revenue. Our business community accounts for a significant amount of the tax revenue that supports the important government programs that enhance the lives of residents throughout the region.</p> <p>The State Route 241 extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region. Businesses throughout south Orange County and northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway (I-5). This project will help to alleviate some of those issues.</p> <p>Environmental impact studies have shown that the project has minimal impacts and the stormwater run of system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate</p> <p>The Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>On behalf of the Trabuco Highlands Community Association and our homeowners, we urge you to support the TCA's Waste Discharge Requirement application and get the Tesoro Extension on the road to completion.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Trabuco Highlands Community Association, Don Chadd, President, Board of Directors</p>

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Comment No.	Letter of Support	
62	<p>COMMENT: Economic growth and job creation has always been a focus of South County Bank. In the past several years this priority has been heightened throughout the economic downturn. The Tesoro Extension is crucial to the economic growth of our local business community. This five mile extension will allow an entirely new customer and client base to discover Rancho Santa Margarita. Our business community enhances the lives of residents and businesses throughout the region.</p> <p>The State Route 241 extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region. Businesses throughout south Orange County and northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway (1-5). This project will help to alleviate some of those issues.</p> <p>Environmental impact studies have shown that the project has minimal impacts and the stormwater runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature, both in water quality and in the water flow rate.</p> <p>The Foothill Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>We urge you to support the TCA's Waste Discharge Requirement application and get the Tesoro Extension on the road to completion.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: South County Bank, Regional Vice President Conte</p>

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Comment No.	Letter of Support	
63	<p>COMMENT: Economic growth and job creation are a priority for the LA&OC Building & Construction Trades Council. In the past several years this priority has been heightened throughout the economic downturn where upwards of 40 percent of our membership have been out of work at one point or another.</p> <p>The State Route 241 Tesoro Extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region. Businesses throughout South Orange County and Northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway and this project will help alleviate some of those issues. With 5.6 million square feet of commercial space planned for Rancho Mission Viejo, this project is badly needed to provide redundancy in the transportation system.</p> <p>Environmental impact studies have shown that the project has minimal impacts and the storm water runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate. The Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>We urge you to support the TCA's Waste Discharge Requirement application and get the Tesoro Extension on the road to completion.</p> <p>RESPONSE: The Commenters' remarks are duly noted.</p>	<p>Commenter: Los Angeles Orange County Building & Construction Trades Council, Ron Miller, Executive Secretary, Jim Adams, Council Representative, Chris Hannan, Council Representative</p>

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Comment No.	Letter of Support	
64	<p>COMMENT: The Brea Chamber of Commerce, a member of the North Orange County Legislative Alliance (NOCLA) and advocate for better business infrastructure in the region stands in support of your approval of the Foothill/Eastern Transportation Corridor Agency's (TCA) application for the Waste Discharge Requirement (WDR) permit submitted for the Tesoro Extension project in Orange County. In these trying times, increasing the availability of commercial transportation corridors and alternatives in the region benefits local businesses tremendously. Increased mobility in the region will cut down financial costs for everyone. With this project creating more than 2,400 jobs and benefiting the region for years to come, it is vital that this roadway is built to further economic growth in Orange County.</p> <p>There is 5.6 million square feet of commercial space planned for Rancho Mission Viejo. Today, the Interstate 5 (I-5) freeway is the only major corridor through South Orange County. Extending SR-241 to the area near Ortega Highway will help alleviate traffic both on arterial streets as well as the I-5 freeway.</p> <p>The Chamber also promotes sustainable growth that benefits the overall quality of life for residents and workers in the region. From an environmental perspective, the project is needed to improve regional air quality according to the South Coast Air Quality Management District (SCAQMD). Idling cars create more air pollution, which is why free-flowing traffic is crucial to both traffic relief and a reduction in air pollution.</p> <p>TCA has committed to building this five-mile extension using Best Management Practices (BMP) when it comes to storm water runoff. The project impacts less than a half acre of water that is regulated by the state board, but the significant water treatment processes that will be implemented are designed to mimic pre-project flows and water quality.</p> <p>On behalf of the Brea Chamber of Commerce we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenters' remarks are duly noted.</p>	<p>Commenter: Brea Chamber of Commerce, Tina Javid, Legislative Chair, Sharon Wagner, Chief Executive Officer</p>

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Comment No.	Letter of Support	
65	<p>COMMENT: The International Union of Operating Engineers (IUOE) Local 12 joins the South Orange County Economic Coalition (SOCEC) in requesting your support for the Transportation Corridor Agencies' (TCA's) waste Discharge Requirement (WDR) permit application regarding the SR-241 Tesoro Extension.</p> <p>This project would provide a much-needed alternative route to the heavily traveled 1-5 and local streets, and is approved by the majority of Orange County residents surveyed.</p> <p>The SOCEC was formed to support infrastructure projects that will enhance the economic growth of the region and the highest levels of environmental standards in the industry.</p> <p>TCA has committed to incorporating water quality improvements. It will utilize a multidimensional approach to stormwater treatment, including an innovative roadway overlay material; detention basins; flow splitters; Austin sand filters, and vegetated slopes/medians. According to the SEIR, all environmental impacts are minimal and can be successfully mitigated. This focus on water quality issues clearly demonstrates that the TCA takes water quality issues very seriously, despite the fact that the five-mile project only affects four-tenths of an acre of waters regulated by your Board.</p> <p>IUOE Local 12 represents the most skillful and qualified group of Operating Engineers in California. South Orange County is still feeling the impact of the recent recession. Significant economic growth would be spurred by the more than 2,000 jobs-including those jobs that would go to Operating Engineers-that would be created by this project.</p> <p>On behalf of the Officers and the 22,000 members of IUOE Local 12, I strongly encourage you to approve TCA's WDR permit application for the SR-241 Tesoro Extension.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: International Union of Operating Engineers, Local #12, William C. Waggoner, Business Manager, General Vice President</p>

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Comment No.	Letter of Support	
66	<p>COMMENT: At their February 5, 2013 meeting, Community Associations of Rancho (CAR), a community organization that provides a forum for collaboration with the Master Homeowner Associations in the city of Rancho Santa Margarita, the CAR representatives approved sending a letter of support to the San Diego Regional Water Quality Control Board for the Waste Discharge Requirement Permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension of the 241 Toll Road in Orange County. CAR represents the seven master homeowner associations that comprise the residential community of Rancho Santa Margarita.</p> <p>Protecting quality of life and property values are key issues for the Associations and their residents. Mobility and economic vitality throughout our region are also closely tied to ensuring the continuation of the high quality of life enjoyed by our community.</p> <p>In the past several years these priorities have been heightened by the economic downturn. The Tesoro Extension is crucial to the economic growth of our local business community. This five mile extension will allow an entirely new customer and client base to discover Rancho Santa Margarita and boost local tax revenue. Our business community accounts for a significant amount of the tax revenue that supports the important government programs that enhance the lives of residents throughout the region.</p> <p>The State Route 241 extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region. Businesses throughout south Orange County and northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway (I-5). This project will help to alleviate some of those issues.</p> <p>Environmental impact studies have shown that the project has minimal impacts and the stormwater runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate.</p> <p>The Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>On behalf of CAR, we urge you to support the TCA's Waste Discharge Requirement application and get the Tesoro Extension on the road to completion.</p>	<p>Commenter: Community Associations of Rancho, Chairman David McGregor</p>

	RESPONSE: The Commenter's remarks are duly noted.	
Comment No.	Letter of Support	
67	<p>COMMENT: This letter is written on behalf of the Rancho Cielo Homeowners Association which represents a community of approximately 241 homes nested near the Cleveland National Forest in the City of Rancho Santa Margarita.</p> <p>Protecting quality of life and property values are key issues for the Rancho Cielo Homeowners Association and its residents. Mobility and economic vitality throughout our region are also closely tied to ensuring the continuation of the high quality of life enjoyed by our community. In the past several years these priorities have been heightened by the economic downturn. The Tesoro Extension is crucial to the economic growth of our local business community. This five mile extension will allow an entirely new customer and client base to discover Rancho Santa Margarita and boost local tax revenue. Our business community accounts for a significant amount of the tax revenue that supports the important government programs that enhance the lives of residents throughout the region.</p> <p>The State Route 241 extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region. Businesses throughout south Orange County and northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway (I-5). This project will help to alleviate some of those issues.</p> <p>Environmental impact studies have shown that the project has minimal impacts and the stormwater runoff system that is being proposed is state-of-the-art and creates a runoff now that mimics nature both in water quality and in the water flow rate.</p> <p>The Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>On behalf of the Rancho Cielo Homeowners Association and our community, we urge you to support the TCA's Waste Discharge Requirement application and get the Tesoro Extension on the road to completion.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Rancho Cielo Homeowners Association, Darryl Wheeler, President, Board of Directors</p>

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Comment No.	Letter of Support	
68	<p>COMMENT: Support Comment: Tent. Order R9-2013-0007 Place 785677 Please support the Waste Discharge Requirement permit submitted by the TCA for the Tesoro Extension project. We in San Juan Capistrano need traffic relief projects to help reduce the through-traffic that passes through our town.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	Commenter: Dave Solt
Comment No.	Letter of Support	
69	<p>COMMENT: Subject: 241 toll road extension I am in favor of the toll road extension. Do it!</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	Commenter: Kathy Z

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Comment No.	Letter of Support	
70	<p>COMMENT: Subject: Support 241 Toll Road's Waste Discharge Requirement Permit The 5 freeway from Irvine South to San Diego is a total disaster on the week-ends. If the 73 could get built (and everyone says HALLELUJA, as it has helped tremendously thru the Y), why can't the 241 connect up to the 5 at the easement between South San Clemente and Camp Pendleton?? I thought it was all in the plans already, like the 73, and was a "done deal." We sure NEED it -what's the hold-up? However, I DID think that when the investors for the 73 earned back their money, the road would either no longer be a toll road, or the tolls would go into a fund for the maintenance of the road. THAT's not happening. Governmental agencies seem to be adamantly against working together to accomplish projects with the least amount of money and time spent. We taxpayers just keep paying the money for each fiefdom to continue their money-making portion of the projects. But at least we do benefit from the projects --once they're done. Will this one get done in most of our lifetimes?</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	Commenter: Bette Brooks
Comment No.	Letter of Support	
71	<p>COMMENT: I think this is a total waste of money. Sooner or later the cost of all this environmental nonsense will come out of us, whether as taxpayers or toll road users. Most people in MV, SC, SJC would need a map, compass and a troop of Boy Scouts to even find these wetlands (aka, swamp). Get on with it and stop wasting our money. How many people have been killed on I -5 while you putz around with this? Any idiot can see where the road has to go.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	Commenter: Loring Bean

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Comment No.	Letter of Support	
72	<p><u>COMMENT:</u> I urge you to support the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County. The Tesoro Extension project offers much needed north/south traffic relief inland of I-5 and brings a significant number of job opportunities to Orange County, while leaving critical wetlands intact and implementing sophisticated water treatment methods to manage storm water and roadway runoff. Please support the permit.</p> <p><u>RESPONSE:</u> The Commenter's remarks are duly noted.</p>	Commenter: Micki Davey
73	<p><u>COMMENT:</u> I support 241 Tesoro extension.</p> <p><u>RESPONSE:</u> The Commenter's remarks are duly noted.</p>	Commenter: Javier Gonzalez

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Comment No.	Letter of Support	
74	<p>COMMENT: Economic growth and job creation has always been a focus of South Orange County. In the past several years this priority has been heightened throughout the economic downturn. The Tesoro Extension is crucial to the economic growth of our local business community. Mobility is also important to our local businesses and residents.</p> <p>The State Route 241 extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region. Businesses throughout south Orange County and northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway (I-5). This project will help to alleviate some of those issues.</p> <p>Environmental impact studies have shown that the project has minimal impacts and the stormwater runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate.</p> <p>The Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>We urge you to support the TCA's Waste Discharge Requirement application and get the Tesoro Extension on the road to completion.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Kathy Zechmeister, Lake Forest Resident</p>

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Comment No.	Letter of Support	
75	<p>COMMENT: I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the 241 Tesoro Extension project in Orange County.</p> <p>With Rancho Mission Viejo commencing construction of their large-scale residential and commercial construction the need for the 241 Tesoro Extension of the 241 Toll Road is now. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in the Los Angeles/Orange basin. Without the alternative route of the 241 Tesoro Extension project traffic will continue to be gridlocked on weekends and congested at best during the work week. This is no longer acceptable. Please help our counties and their people that rely on these vital corridors to go to work, see family/friends, and enjoy the coastal communities.</p> <p>TCA's track record has consistently used high quality building standards for their facilities and will surely manage the 241 Tesoro Extension utilizing best management practices (BMP) as demanded by the resource agencies.</p> <p>I encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Lee Vander Linden</p>

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Comment No.	Letter of Support	
76	<p>COMMENT: This is a very important extension of the 241 toll road. My letter of support is attached. Thank you for your careful review and approval of this project.</p> <p>I have been a resident of San Clemente for over twenty five years, and have witnessed the huge traffic increase in all the arterials in south Orange County. The Tesoro Extension project is a vital addition to the arterial network. It clearly should be built before the large scale residential project nearby starts impacting local traffic.</p> <p>The project neatly meshes with the other traffic relief projects now underway -the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. It is not a hasty addition.</p> <p>The planned improvements to native habitat are measurable. The Transportation Corridor Agency (TCA) has an enviable proven record in their completed sections of the 241Toll Road. They not only protected existing coastal sage habitat -but also creating new to replace the essentially barren areas (of native plants) where livestock grazing existed for many years. And their record in preserving water quality is impeccable.</p> <p>I urge the California Water Quality Board for the San Diego Region to approve the TCA's Waste Discharge Requirements permit as submitted. The project will not only improve traffic. It will also result in the net addition of over 34 acres of habitat. This is a "banner" Win -Win project!</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: John T. Tengdin</p>

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Comment No.	Letter of Support	
77	<p>COMMENT: I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill / Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>I support needed and well-planned transportation projects such as this one. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Current, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego, and Long Beach.</p> <p>TCA proposes to create, restore and / or enhance 34.82 acres of habitat for 0.40 acres of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMP's will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>Viable transportation projects are desperately needed and I encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Birtcher Anderson Realty Management, Inc., Becky J. Rodarte, CEO</p>

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Comment No.	Letter of Support	
78	<p>COMMENT: On behalf of the San Clemente Chamber of Commerce we urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the SR 241 Tesoro Extension project in Orange County.</p> <p>The San Clemente Chamber of Commerce supports needed and well-planned transportation projects such as this one because we recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>On behalf of the San Clemente Chamber of Commerce, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: San Clemente Chamber of Commerce, Chairman, Bernie Allen</p>

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Comment No.	Letter of Support	
79	<p>COMMENT: My name is Phillip Schwartz and I am a 40 year resident of San Juan Capistrano and a former Mayor of the City. I am also the former Chairman of Orange county LAFCo and President of the Orange County Division of the League of California Cities.</p> <p>I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project here in Orange County.</p> <p>I have always supported needed and well-planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5), which bisects our city, have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County and in particular San Juan Capistrano, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region.</p> <p>TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State.</p> <p>Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin. Most of the runoff comes through San Juan Capistrano.</p> <p>I understand the need for viable transportation projects and strongly encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: The PRS Group, Phillip R. Schwartz</p>

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Comment No.	Letter of Support	
80	<p>COMMENT: I am the principal of an engineering consulting firm and actively involved in business organizations in northern San Diego County. I am writing you today to express my strong support for the approval of the Foothill/Eastern Transportation Corridor Agency's (TCA) Waste Discharge Requirement (WDR) for the Tesoro Extension project in southern Orange County.</p> <p>Currently, the I-5 is the only north-south non-arterial route available for residents and businesses between San Diego and south Orange County. The I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach, critical to improving our struggling economy.</p> <p>Not only will this project create approximately 2,400 jobs, the TCA also proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>I appreciate the opportunity to support this project.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: TAIT Consulting, President, Bruce Tait, PE</p>

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Comment No.	Letter of Support	
81	<p>COMMENT: The Carlsbad Chamber of Commerce is writing to express its support for the approval of the Foothill/Eastern Transportation Corridor Agency's (TCA) Waste Discharge Requirement (WDR) for the Tesoro Extension project in southern Orange County. The Carlsbad Chamber has long been on record supporting this well-planned transportation project because. Currently, the I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. The I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach, critical to improving our struggling economy. Not only will this project create jobs, the TCA also proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin. Thank you for your immediate attention to this matter.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Carlsbad Chamber of Commerce, Ted Owen, CEO</p>

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Comment No.	Letter of Support	
82	<p>COMMENT: The Oceanside Chamber of Commerce is writing to express its support for the approval of the Foothill/Eastern Transportation Corridor Agency's (TCA) Waste Discharge Requirement (WDR) for the Tesoro Extension project in southern Orange County. The Oceanside Chamber has long been on record supporting this well-planned transportation project. Currently, the I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. The I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach, critical to improving our struggling economy.</p> <p>Not only will this project create jobs, the TCA also proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin. Thank you for your immediate attention to this matter.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Oceanside Chamber of Commerce, David Nydegger, CEO</p>

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Comment No.	Letter Against	
83	<p>COMMENT: I do not support the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>Well-planned transportation and infrastructure projects like the Tesoro Extension destroy what little open space we have left and only build prosperous developers, not communities. Please scale down the large-scale residential/commercial construction underway at Rancho Mission Viejo as much as u r able. It's vital that I-5 be widened or something like that instead.</p> <p>Please Join me in not supporting TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	Commenter: Steven, Steve- do not extend 241 Marion- leave it alone, Huntington Beach

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Comment No.	Support Letter	
84	<p>COMMENT: I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County. I support needed and well-planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road.</p> <p>Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach. The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pala Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region.</p> <p>TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow, patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>As an informed Southern California resident, I understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenters' remarks are duly noted.</p>	<p>Commenters: Justin Allington, Project Manager; Lenny Gardino, Project Manager; Dee Ann Isaacs, Safety Representative & Alyssa Anderson (Flatiron and Flatiron West)</p>

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Comment No.	Support Letter	
85	<p>COMMENT: I am writing as a former board member of the San Diego Regional Water Quality Control Board, and as an elected official that is passionate about water quality. I served as a Councilmember and Mayor of the City of Dana Point where I provided the elected leadership for the city's aggressive ocean water quality program. I currently serve as the President of the Board for the South Coast Water District and as a member of the city's Ocean Water Quality Subcommittee.</p> <p>The Transportation Corridor Agencies (TCA) is proposing a five-mile extension of State Route 241. TCA has committed to use four important water quality control measures in the project to capture and treat all stormwater runoff. The measures include Austin sand filters, Bio-swales, Extended Detention Basins (EDB) and Porous Pavement.</p> <p>The five mile roadway extension will impact just four-tenths of an acre of waters regulated by the Regional Board. Based on the limited impact and because TCA has committed to implement these best management practices for water quality runoff, I urge you to approve the Waste Discharge Requirement (WDR) permit for the project.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: South Coast Water District, Wayne Rayfield, President</p>

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Comment No.	Support Letter	
86	<p>COMMENT: As a former 18 year board member of the Santa Ana Regional Water Quality Control Board appointed by three different Governors, I can appreciate the dedication and focus you and your colleagues put into each decision you render. I've reviewed the mitigation that the Transportation Corridor Agencies (TCA) has agreed to implement as part of their Waste Discharge Requirement (WDR) permit application for the Tesoro Extension and I would encourage you to approve their application.</p> <p>TCA's five mile extension of State Route 241 proposes to use state-of-the-art design features that will capture and treat all water runoff prior to it entering the watershed. Features of this project include the use of Austin sand filters, bio-swales, extended detention basins as well as porous pavements along the entire length of the roadway. Combined, these elements will ensure that any water runoff that may occur will mimic pre-development conditions both in quality and flow level.</p> <p>TCA has taken water quality issues seriously despite the fact that this five-mile stretch impacts just four-tenths of an acre of waters regulated by the Regional Board. Based on their commitment to water quality treatment and the minimal amount of impact this project will have, I encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: John Withers, former board member of the Santa Ana Regional Water Quality Control Board</p>

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Comment No.	Support Letter	
87	<p>COMMENT: As a former board member of the San Diego Regional Water Quality Control Board, I know how important it is that new development projects are built to the highest level in water quality standards. I served as Planning Commissioner, City Councilwoman and Mayor of the City of San Clemente where we are proud to support and enforce stringent surface water runoff quality control measures. I reviewed the water quality aspects of projects closely that came before me to ensure adherence to our permitting requirements.</p> <p>The proposed 5.5-mile State Route 241 Tesoro Extension will use state-of-the-art design features to capture and treat all stormwater runoff. The Transportation Corridor Agencies (TCA), which is proposing the project, has agreed to use a variety of water quality control measures including:</p> <ul style="list-style-type: none"> • Austin sand filters • Bio-swales • Extended Detention Basins (EDB) • Porous Pavement <p>These measures ensure that the water quality and the water flow rate will mimic predevelopment conditions. TCA is implementing the best management practices for water quality runoff and has earned the right to be granted its Waste Discharge Requirement (WDR) permit from the San Diego Regional Water Quality Control Board.</p> <p>The 5.5-mile roadway will impact just four-tenths of an acre of waters regulated by the Regional Board. Based on the limited impact and the efforts undertaken by TCA to mitigate the impacts of the roadway, I encourage you to approve the permit.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Susan Ritschel, former board member of the San Diego Regional Water Quality Control Board (and former Planning Commissioner, City Councilwoman and Mayor of the City of San Clemente)</p>

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Comment No.	Support Letter	
88	<p>COMMENT: As the elected representative of the 38th Senate District in the State of California, I am writing to express my strong support for your approval of the Foothill/Eastern Transportation Corridor Agency's (TCA) application for the Waste Discharge Requirement (WDR) permit submitted for the Tesoro Extension project in Orange County. My Senate district incorporates the Orange County cities of San Clemente and San Juan Capistrano, as well as many cities throughout northern San Diego County. These residents currently have only one route north and south and that is the Interstate 5 (I-5). It is inherently dangerous for any community to be as reliant on a sole transportation corridor as we are on I-5 and an alternative is desperately needed.</p> <p>This five-mile extension project will bring the 241 Toll Road to the area near Ortega Highway and will create more than 2,400 jobs. Best of all, this roadway infrastructure project can be built without using tax dollars for its planning or construction. Two lanes will be constructed in each direction with a median wide enough for additional lanes for future transit options. This roadway extension is a crucial part of a significant transportation improvement effort that is underway in south Orange County. In addition to the Tesoro Extension, the I-5 will be widened to extend the carpool lanes south of Pico. The interchanges at both Pico and Ortega will also be widened and improved. And La Pata will, at long last, be connected, which will offer an arterial route north and south between San Juan Capistrano and San Clemente on the inland side of the I-5 freeway. As your staff notes, the Tesoro Extension has extremely minimal impact to waters regulated by the State (less than a half-acre). This project will also benefit the region's air quality as identified in the South Coast Air Quality Management District's 2012 Air Quality Management Plan.</p> <p>I strongly encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Senator Mark Wyland, California State Senate, Thirty-Eighth Senate District</p>

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Comment No.	Support Letter	
89	<p>COMMENT: The South Orange County Economic Coalition (SOCEC) was formed to support infrastructure projects that will enhance the economic growth of the region. Our board, which is made up of many of the top businesses in Southern California, strongly encourages your support for the Foothill/Eastern Transportation Corridor Agencies (TCA) Waste Discharge Requirement (WDR) permit application for the Tesoro Extension. South Orange County continues to feel the unfortunate impacts of the recession and our businesses and residents would benefit significantly from the Tesoro Extension.</p> <p>TCA has made a commitment to water quality treatment and ensuring minimal impacts from the project. This focus on water quality issues, despite the fact that this five-mile stretch impacts just four-tenths of an acre of water regulated by the Regional Board, shows that water quality is an issue TCA is taking very seriously. SOCEC supports infrastructure projects that strive to achieve the highest level of environmental standards in the industry.</p> <p>The Tesoro Extension will help to provide desperately needed traffic relief in our communities and the safety of a critical alternate route to the often congested Interstate-5 (I-5) freeway. A large scale residential and commercial construction project is currently being built at Rancho Mission Viejo that makes this project even more vital. Right now the I-5 freeway is the only major corridor through south Orange County. Extending SR-241 to the area near Ortega will help relieve traffic both on arterial streets, as well as the I-5 freeway. The project will allow south Orange County residents to continue to enjoy a high quality of life.</p> <p>In addition to the benefits of safety and traffic relief, economic growth will be spurred by the more than 2,000 jobs that will be created by this project. Our members' customers, clients and employees will be positively impacted by having an alternative to the 1-5.</p> <p>On behalf of the South Orange County Economic Coalition, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: South Orange County Regional Chamber of Commerce; South Orange County Economic Coalition; Jim Leach, Chair</p>

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Comment No.	Support Letter	
90	<p>COMMENT: On behalf of the Orange Chamber of Commerce, we urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>The Orange Chamber supports needed and well-planned transportation projects such as this one because we recognize how good infrastructure projects help to build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that an alternative to Interstate-5 (I-5) be available. That alternate route is the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in south Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the 1-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>On behalf of the Orange Chamber of Commerce, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Orange Chamber of Commerce, Heidi Larkin Reed, President and CEO</p>

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Comment No.	Support Letter	
91	<p>COMMENT: The San Diego North Economic Development Council (SDNEDC) is a coalition of the private and public sectors working together regionally to sustain and grow the economic base of North San Diego County.</p> <p>As the Chief Executive Officer of the SDNEDC I am writing you to express our organization's support to approve the Foothill/Eastern Transportation Corridor Agency's (TCA) Waste Discharge Permit. The business communities in both San Diego and Orange counties need reliable commercial transportation corridors and alternatives. Mobility is the lifeblood of the Southern California economy. As an economic development coalition, we realize too that well-planned infrastructure projects help build prosperous communities in addition to adding jobs. In fact, the Tesoro extension will create more than 2,400 jobs.</p> <p>We have long supported this well-planned transportation project because, when completed, it will be the only alternative to the I-5 to connect North San Diego County with Orange County. Currently, the I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. The I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach, critical to improving our struggling economy.</p> <p>Along with creating jobs, the TCA also proposes to create, restore and/or enhance 34.82 acres of habitat for the .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin. In closing, I strongly encourage you to approve TCA's Waste Water Discharge permit application. Thank you.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: San Diego North Economic Development Council, Carl S. Morgan, CEO</p>

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Comment No.	Support Letter	
92	<p>COMMENT: On behalf of the Engineering Contractors' Association (ECA) we urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County. The ECA supports needed and well-planned transportation projects such as this one because we recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>On behalf of the Engineering Contractors' Association, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Engineering Contractors' Association, Wes May, Executive Director</p>

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Comment No.	Support Letter	
93	<p>COMMENT: I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>The San Diego Regional Chamber of Commerce has long supported the 241 extension, which will provide a vital transportation connection to our multi-county region. As you know, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. The extension will provide much-needed traffic relief to increasing congestion on I-5 and improve the movement of commuters, visitors and commerce, between Southern California and Northern Baja California region. The swift movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach are critical to our economic growth and prosperity.</p> <p>We have reviewed the details of the Tesoro extension and its approach to water quality and environmental stewardship. It is our understanding the TCA will be using best management practices on the five-mile Tesoro Extension, which include using a porous pavement overlay, extended detention basins, sand filters, new plantings on slopes and medians and other approaches to make the roadway safe and reduce storm water runoff.</p> <p>On behalf of the nearly 3000 member businesses, representing 400,000 employees, of the San Diego Regional Chamber of Commerce, I ask that you approve the permit for the Tesoro Extension.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: San Diego Regional Chamber of Commerce, Mark Leslie, President and CEO (Interim)</p>

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Comment No.	Support Letter	
94	<p>COMMENT: On behalf of the Laguna Niguel Chamber of Commerce we urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the SR 241 Tesoro Extension project in Orange County.</p> <p>The Laguna Niguel Chamber of Commerce supports needed and well-planned transportation projects such as this one because we recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>On behalf of the Laguna Niguel Chamber of Commerce, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Laguna Niguel Chamber of Commerce, Debbie Newman, President and CEO</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Letter	
95	<p>COMMENT: On behalf of the Irvine Chamber of Commerce, we urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>The Irvine Chamber supports needed and well-planned transportation projects such as this one because we recognize how good infrastructure projects help to build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that an alternative to Interstate-5 (I-5) be available. That alternate route is the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in south Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>On behalf of the Irvine Chamber of Commerce, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Irvine Chamber of Commerce, Talia Hart, President and CEO</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Letter	
96	<p>COMMENT: On behalf of the Fullerton Chamber of Commerce, we urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>The Fullerton Chamber supports needed and well-planned transportation projects such as this one because we recognize how good infrastructure projects help to build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that an alternative to Interstate-5 (I-5) be available. That alternate route is the Tesoro Extension of the 211 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in south Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one or several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement. The La Pata Gap Closure Project. The Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>On behalf of the Fullerton Chamber of Commerce, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Fullerton Chamber of Commerce, Theresa Harvey, President/CEO</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Letter	
97	<p>COMMENT: On behalf of the Building Industry Association of Southern California, Orange County Chapter (BIA/OC), we urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>BIA/OC is a non-profit trade association of nearly 1,000 companies employing over 100,000 people affiliated with the home building industry. The Orange County Chapter represents the largest member base within BIASC. Our mission is to champion housing as the foundation of vibrant and sustainable communities.</p> <p>The BIA supports needed and well-planned transportation projects such as this one because we recognize how good infrastructure projects provide mobility within our communities. With the recent resurgence of economic growth in the region, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize, that route is the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>The Tesoro Extension will be one of several traffic relief projects that are underway or planned for South Orange County, including the Ortega/I-5 interchange improvement, the La Pata Gap Closure Project, the Pico/I-5 interchange improvement and the I-5 carpool lane addition. All of these transportation improvement projects are needed to provide traffic relief through the region. TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing modern water quality best management practices (BMPs). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>On behalf of the Building Industry Association, we encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Building Industry Association of Southern California, Orange County Chapter, Michael Balsamo, CEO</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Letter	
98	<p>COMMENT: World Trade Center San Diego (WTC-SD) provides comprehensive international trade services and global contacts to facilitate and expand trade for our companies. Therefore, on behalf of the WTC-SD I strongly encourage you to approve the Foothill/Eastern Transportation Corridor Agency's (TCA) Waste Discharge Permit.</p> <p>Nearly 50% of the nation's seaborne cargo enters through Southern California ports, and 77% of that cargo is trucked to areas throughout the 48 contiguous United States. Independent research indicates that drivers who are stuck in congestion on Interstate 5 in northern San Diego County and southern Orange County waste \$90 million to as much as \$174 million annually in lost time and increased fuel costs.</p> <p>Cargo movement through the ports within the last two years totaled \$287 billion, generating \$30 billion in tax revenue. The Port of San Diego handles more than three million tons of cargo annually. Our concern is that container volume is expected to triple over the next 20 years and international cargo between Los Angeles/Long Beach and our region would not be moved by rail but most probably by truck.</p> <p>In order to remain competitive nationally and globally, we must be able to transport goods and services efficiently and effectively throughout the region. While transit and light rail are beneficial to passengers, increased truck capacity will be needed to support our economy and quality of life.</p> <p>Please give strong consideration to issuing the Waste Discharge Permit as requested by the TCA. Along with creating 2,400 jobs and improving mobility, the TCA proposes to create, restore and/or enhance 34.82 acres of habitat for the .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, TCA has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>On behalf of WTC-SD, we encourage you to approve TCA's Waste Discharge permit application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: World Trade Center, San Diego, Steven W. Weathers, President/CEO</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter Against	
99	<p>COMMENT: As a preservation architect the cultural landscape of San Onofre Beach area would be impacted beyond repair. Please deny this application. I urge the Regional Board to deny the Foothill/Eastern Transportation Corridor Agency's ("TCA") application for waste discharge requirements ("WDR") for the so-called Tesoro Extension, the first five-mile segment of the proposed Foothill South Toll Road in southern Orange County.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: John Eisenhart Architect (25743)</p>
100	<p>COMMENT: I am absolutely opposed to the building of any roads in this area because of the destruction that would occur to the environment and to a favorite beach and surf spot.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Kimberly Tays</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter Against	
101	<p>COMMENT: I urge the Regional Board to deny the Foothill/Eastern Transportation Corridor Agency's ("TCA") application for waste discharge requirements ("WDR") for the so-called Tesoro Extension, the first five-mile segment of the proposed Foothill South Toll Road in southern Orange County.</p> <p>People have said "NO" to this for a decade or more. We've spoken and fought and this is the consensus of the public and the law. Why is this agency acting so belligerently and arrogantly time and time again?</p> <p>Is this the type of state we want to be? A coastline, once beautiful, simply filled up with concrete and metal and oil? We don't need a road like this, we can spend money much better fixing up existing public roads, and devising SMARTER transportation systems and algorithms. Not just more roads and cars. It sickens me.</p> <p>I urge the Regional Board to DENY waste discharge requirements for the so-called Tesoro Extension project. I also urge the Board to extend the public comment period to March 13th to allow my comments to be included in the official record of proceedings.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Brian Katz</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter Against	
102	<p>COMMENT: I urge the Regional Board to deny the Foothill/Eastern Transportation Corridor Agency's application for waste discharge requirements for the so-called Tesoro Extension, the first five-mile segment of the proposed Foothill-South Toll Road in southern Orange County.</p> <p>I am deeply concerned about TCA's unyielding efforts to build its destructive toll road through one of the last unspoiled watersheds in southern California.</p> <p>In 2008, both the California Coastal Commission and the Bush administration rejected the toll road because of potentially devastating impacts to the coastline. Despite those decisions, TCA remains undeterred and now plans to build the road in segments. This segmentation approach is an obvious attempt to circumvent the decisions rejecting the road, and is illegal under both state and federal law.</p> <p>This first five-mile segment would be a literal "road to nowhere," ending at a dirt road and threatening to create traffic nightmares for thousands of Orange County residents. The agency's permit application also overlooks impacts to important wetlands that could potentially affect the coastal zone.</p> <p>For these reasons, I urge the Regional Board to deny waste discharge requirements for the so-called Tesoro Extension project. I also urge the Board to extend the public comment period to March 13th to allow my comments to be included in the official record of proceedings.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Ms. Chrissy Ziccarelli</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter Against	
103	<p>COMMENT: I would like to voice my support for denying the Foothill/Eastern Transportation Corridor Agency's ("TCA") application for waste discharge requirements ("WDR") for the so-called Tesoro Extension, the first five-mile segment of the proposed Foothill-South Toll Road in southern Orange County.</p> <p>In 2008, both the California Coastal Commission and the Bush Administration rejected the toll road due to its devastating impacts. Still, the TCA remains now plans to build the road in segments. No matter how the road is divided, the project was still rejected by the Coastal Commission and should not be allowed to go forward in any form.</p> <p>TCA is overlooking impacts to wetlands, the San Juan creek, and the surrounding watershed that could subsequently impact coastal resources. The first section of the road is not only environmentally damaging, but this segment of the road would give the TCA momentum to complete the full road. Their full road would absolutely devastate fragile watersheds, greatly impact San Onofre State Beach and the beloved recreation spot for more than 2.4 million visitors/surfers each year.</p> <p>As if the impacts to the environment were not bad enough, this first 5-mile segment would be a literal "road to nowhere," ending at a dirt road and threatening to create traffic nightmares for thousands of Orange County residents.</p> <p>For these reasons, I urge the Regional Board to DENY waste discharge requirements for the so-called Tesoro Extension project. I also urge the Board to extend the public comment period to March 13th to allow my comments to be included in the official record of proceedings.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Mark Palmer</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter Against	
104	<p>COMMENT: Please deny the Foothill/Eastern Transportation Corridor Agency's ("TCA") application for waste discharge requirements ("WDR") for the so-called Tesoro Extension, the first five-mile segment of the proposed Foothill-South Toll Road in southern Orange County.</p> <p>1. This segmentation approach is illegal under both state and federal law. The TCA is taking this illegal approach in an attempt to circumvent the route's overwhelming rejection in 2008, by the California Coastal Commission and the Bush Administration, due to its devastating environmental impacts.</p> <p>2. The TCA's application does not meet the standards required by the Southern Orange County Hydromodification Management Plan (HMP). TCA is overlooking impacts to wetlands and to San Juan Creek and its watershed that could subsequently impact coastal resources.</p> <p>3. This 5-mile segment would be literally a "road to nowhere," ending at a dirt road with no clear way to get to 1-5. The result would be increased traffic congestion along already-overburdened Ortega Highway (SR 74) through San Juan Capistrano.</p> <p>Allowing the Tesoro Extension or any other segment of the road, to be built would give the TCA momentum to complete the rest of their desired route, through to 1-5 at San Mateo Creek. This would negate the 2008 rejection of the TCA's desired route, negate the strong governmental and overwhelming popular opposition to this route.</p> <p>For these reasons, please DENY the TCA's application for waste discharge requirements for the Tesoro Extension project.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Celia Kutcher</p>

Response To Comments
Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter Against	
105	<p><u>COMMENT:</u> I urge the Regional Board to deny the Foothill/Eastern Transportation Corridor Agency's (TCA) application for waste discharge requirements (WDR) for the so-called Tesoro Extension, the first five-mile segment of the proposed Foothill South Toll Road in southern Orange County.</p> <p>The citizens of California, the California Coastal Commission and the Bush Administration have clearly shown that this road is not supported and should not be built. Not in segments. Not at one time. It cannot be built at all as proposed by the TCA.</p> <p>I also urge the Board to extend the public comment period to March 13th to allow my comments to be included in the official record of proceedings.</p> <p><u>RESPONSE:</u> The Commenter's remarks are duly noted.</p>	Commenter: Gordana Kajer

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Letter Against	
106	<p>COMMENT: I strongly urge your board to deny the Foothill/Eastern Transportation Corridor Agency's ("TCA") application for a waste discharge requirements ("WDR") permit for the so-called Tesoro Extension, the first of several five-mile segment of the proposed Foothill-South Toll Road in southern Orange County. Extension of the toll road would subsidize more sprawl housing subdivision and put more pressure on our existing water supply and waste management infrastructure.</p> <p>In 2008, both the California Coastal Commission and the Bush Administration rejected the toll road proposal due to its negative environmental impacts.</p> <p>Despite being rejected, the TCA remains undeterred and now proposes to build the road in segments. This segmentation approach is illegal under both state and federal law. .</p> <p>I am concerned the TCA's application does not meet the standards as required by the Southern Orange County Hydromodification Management Plan (HMP).</p> <p>TCA is overlooking impacts to wetlands, the San Juan creek, and the surrounding watershed that could subsequently impact coastal resources.</p> <p>The first section of the proposed road is not only environmentally damaging, but this segment of the road would give the TCA momentum to complete the full road. Their full road would absolutely devastate fragile watersheds, greatly impact San Onofre State Beach and the beloved recreation spot for more than 2.4 million visitors/surfers each year, and has been rejected at both the federal and state levels.</p> <p>As if the impacts to the environment were not bad enough, this first 5-mile segment would be a literal "road to nowhere," ending at a dirt road and threatening to create traffic nightmares for thousands of Orange County residents. The only reason to build it would be to subsidize sprawl developers who have bought up land on either side of the proposed road and want to build new housing subdivisions.</p> <p>For these reasons, I urge the Regional Board to DENY a waste discharge requirements permit</p>	<p>Commenter: Don Wood</p>

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June 19, 2013

	<p>for the so-called Tesoro Extension project. I also urge the Board to extend the public comment period to March 13th to allow my comments to be included in the official record of proceedings.</p> <p><u>RESPONSE:</u> The Commenter's remarks are duly noted.</p>	
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Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Form Letter Against	
107	<p>COMMENT: I urge the Regional Board to deny the Foothill/Eastern Transportation Corridor Agency's ("TCA") application for waste discharge requirements ("WDR") for the so called Tesoro Extension, the first five-mile segment of the proposed Foothill-South Toll Road in southern Orange County.</p> <p>In 2008, both the California Coastal Commission and the Bush Administration rejected the toll road due to its devastating impacts. Despite being rejected the TCA remains undeterred and now plans to build the road in segments. This segmentation approach is illegal under both state and federal law.</p> <p>I am concerned the TCA's application does not meet the standards as required by the Southern Orange County Hydromodification Management Plan (HMP). TCA is overlooking impacts to wetlands, the San Juan creek, and the surrounding watershed that could subsequently impact coastal resources. The first section of the road is not only environmentally damaging, but this segment of the road would give the TCA momentum to complete the full road. Their full road would absolutely devastate fragile watersheds, greatly impact San Onofre State Beach and the beloved recreation spot for more than 2.4 million visitors/surfers each year.</p> <p>As if the impacts to the environment were not bad enough, this first 5-mile segment would be a literal "road to nowhere," ending at a dirt road and threatening to create traffic nightmares for thousands of Orange County residents.</p> <p>For these reasons, I urge the Regional Board to DENY waste discharge requirements for the so-called Tesoro Extension project. I also urge the Board to extend the public comment period to March 13th to allow my comments to be included in the official record of proceedings.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenters: 1,505 individuals</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Letter	
108	<p>COMMENT: The Orange County Council of Governments (OCCOG) welcomes the opportunity to submit comments on the proposed Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County. The OCCOG is a joint powers authority representing the County of Orange and 33 cities, along with other public agencies In Orange County.</p> <p>The OCCOG serves as a sub-regional organization to the Southern California Association of Government (SCAG) representing Orange County on mandated and non-mandated regional planning activities to provide a vehicle for members to engage cooperatively on such activities, and to conduct studies and projects designed to improve and coordinate common governmental responsibilities and services on an area-wide and regional basis.</p> <p>OCCOG strongly supports the enhancement of transportation infrastructure throughout the region to provide traffic relief and improve the quality of life for all Southern California residents, The SR-241 Tesoro extension that is being planned by the Transportation Corridor Agencies (TCA) is a crucial component of that regional transportation plan.</p> <p>The Transportation Corridor Agencies has an outstanding record of balancing the needs of the environment with needed infrastructure improvements that enhance mobility. On behalf of its 38 member agencies In Orange County, OCCOG encourages you to approve TCA's WDR application. Thank you for your consideration of this request and we look forward to your response.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Leroy Mills Chairman OCCOG</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Letter	
109	<p>COMMENT: I urge the Regional Board to move forward the Foothill/Eastern Transportation Corridor Agency's ("TCA") application for waste discharge requirements ("WDR") for the so-called Tesoro Extension, the first five-mile segment of the proposed Foothill-South Toll Road in southern Orange County.</p> <p>Despite being rejected the TCA remains undeterred and now plans to build the road in segments. This segmentation approach is legal under both state and federal law. TCA is not overlooking impacts to wetlands, the San Juan creek, and the surrounding watershed that could subsequently impact coastal resources. The first section of the road is not environmentally damaging and the first segment of the road would give the TCA momentum to complete the full road as it should. Their full road would absolutely save the fragile watersheds, greatly improve San Onofre State Beach and the beloved recreation spot for more than 2.4 million visitors/surfers each year.</p> <p>The impact to the environment is not bad. This first 5-mile segment would be a literal "road to somewhere," ending at a dirt road and end traffic nightmares for thousands of Orange County resident.</p> <p>For these reasons, I urge the Regional Board to vote YES for waste discharge requirements for the so-called Tesoro Extension project. I also urge the Board to not extend the public comment period.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Larry Beltramo</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Letter	
110	<p>COMMENT: I urge the Regional Board to approve the Foothill/Eastern Transportation Corridor Agency's ("TCA") application for waste discharge requirements ("WDR") for the so-called Tesoro Extension, the first five-mile segment of the proposed Foothill-South Toll Road in southern Orange County.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	Commenter: Evan Van Der Merwe
Comment No.	Support Letter	
111	<p>COMMENT: I support the Waste Discharge Requirement (WDR) permit submitted by the Foothill/Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County.</p> <p>Well-planned transportation and infrastructure projects like the Tesoro Extension build prosperous communities. With the large-scale residential/commercial construction underway at Rancho Mission Viejo, it's vital that I-5 have an alternative route - that route needs to be the 241 Toll Road's Tesoro Extension.</p> <p>TCA will create, restore and/or enhance 34.82 acres of habitat for.4 acre of impact the extension will have. TCA will utilize best management practices to maintain existing drainage flow patterns and treat all road runoff to the maximum extent before discharging to receiving waters to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	Commenters: 9 Individuals

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Letter	
112	<p>COMMENT: The Orange County Transportation Authority (OCTA) respectfully encourages the San Diego Regional Water Quality Control Board to approve the 401 Water Quality Certification (WDR permit) presented to you by the Transportation Corridor Agencies (TCA). The OCTA is dedicated to enhancing the transportation infrastructure throughout the region to provide traffic relief and improve quality of life. The SR-241 Tesoro Extension project, proposed by the TCA, is a crucial component of the regional transportation plan and OCTA continues to support efforts for its completion. South Orange County is unique when it comes to transportation alternatives because unlike other areas of the county and the Southern California region, this area has minimal highway improvement alternatives to the I-5 freeway. The TCA is an agency possesses a long record of environmental stewardship while balancing the needs of infrastructure improvements that enhance mobility. Efforts underway with the Tesoro Extension project are going above and beyond to protect the waterways of South Orange County from potential pollutants. OCTA encourages the San Diego Regional Water Quality Control Board to approve the TCA's WDR permit. Thank you for your consideration of this request.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Will Kempton Chief Executive Officer OCTA</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Form Letter	
113	<p>COMMENT: I am writing in support of the Transportation Corridor Agencies request (TCA) for a Waste Discharge Requirement permit, as described in Tentative Order No R9-2013-0007. The TCA's planned extension the SR-241 (the Tesoro Extension) is a much-needed transportation project that would enhance our local economy, public safety and quality of life. But it does so with incredible attention to natural resource protection and enhancement throughout and beyond its project area.</p> <p>In fact, after reading about the TCA's measures to protect water quality, it is clear that they go well above what is required and would be an asset to the natural environment. Measures like the porous asphalt would help ensure that unavoidable pollutants, like brake dust and motor oil, are captured before reaching waterways. It is my understanding that this is an innovative solution that is not required of the TCA but is nevertheless being implemented to ensure the utmost care for our environment. This is in addition to other water quality mitigation measures including Extended Detention Basins (EDBs) and bioswales. The water runoff from this roadway extension will mimic pre-construction conditions in both flow and water quality.</p> <p>The avoidance, restoration and creation of new wetland habitat is also a testament to the TCA's commitment to our natural surroundings. These wetlands will not only attract wildlife, but also serve as a natural source of water treatment to preserve local watersheds. Together with the planned water treatment facilities, the TCA's strategy to capture and treat runoff before reaching local watersheds is a critical element to their plan and will improve the health of our local ecosystems.</p> <p>These measures closely align with the Water Board's mission to preserve, enhance and restore the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations. Therefore, I urge you and your colleagues to support Tentative Order No. R9-2013-0007 and grant the TCA its Waste Discharge Requirement Permit at your hearing on March 13.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: 30 Individuals</p>

Response To Comments
 Tentative Order No. R9-2013-0007

June 19, 2013

Comment No.	Support Letter	
114	<p>COMMENT: As a council member of the City of Laguna Hills, I am writing to urge your support for the Waste Discharge Requirement (WDR) permit submitted by the Foothill\Eastern Transportation Corridor Agency (TCA) for the Tesoro Extension project in Orange County. I support needed and well-planned transportation projects such as this one because I recognize how good infrastructure projects help build prosperous communities. With the large-scale residential and commercial construction already underway at Rancho Mission Viejo, it is vital that the Interstate-5 (I-5) have an alternative route for people to utilize. That route needs to be the Tesoro Extension of the 241 Toll Road. Currently, I-5 is the only north-south non-arterial route available for residents and businesses in South Orange County. I-5 also serves as the primary route for movement of goods to and from Mexico and the ports of Los Angeles, San Diego and Long Beach.</p> <p>TCA proposes to create, restore and/or enhance 34.82 acres of habitat for .40 acre of impact the Tesoro Extension will have on surface waters of the State. Additionally, has committed to building the five-mile Tesoro Extension utilizing best management practices (BMP). These BMPs will maintain existing drainage flow patterns and treat all highway runoff to the maximum extent practicable before discharging to receiving waters in order to maintain existing beneficial uses and meet water quality objectives established by the Regional Board and the Water Quality Control Plan for the San Diego Basin.</p> <p>I understand the need for viable transportation projects and encourage you to approve TCA's WDR application.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: City of Laguna Hills Council Member Melody Carruth</p>

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Comment No.	Support Letter	
115	<p>COMMENT: Economic growth and job creation has always been a focus of South Orange County. In the past several years this priority has been heightened throughout the economic downturn. The Tesoro Extension is crucial to the economic growth of our local business community. Mobility is also important to our local businesses and residents. The State Route 241 extension from Oso Parkway to the area near Ortega Highway is a roadway construction project that will create more than 2,400 jobs and will provide economic growth for the region. Businesses throughout south Orange County and northern San Diego County are impacted daily by the lack of an alternative route to the Interstate 5 freeway (I-5). This project will help to alleviate some of those issues.</p> <p>Environmental impact studies have shown that the project has minimal impacts and the stormwater runoff system that is being proposed is state-of-the-art and creates a runoff flow that mimics nature both in water quality and in the water flow rate. The Foothill/Eastern Transportation Corridor Agency (TCA) is going above and beyond to ensure that this roadway is built to the highest environmental standards, while providing the needed regional mobility and traffic relief that is required for residents and businesses throughout Southern California.</p> <p>We urge you to support the TCA's Waste Discharge Requirement application and get the Tesoro Extension on the road to completion.</p> <p>RESPONSE: The Commenter's remarks are duly noted.</p>	<p>Commenter: Marion Duffy, South Orange County Resident</p>
Comment No.	CEQA Comment	
116	<p>COMMENT: The Regional Board is a responsible agency for the purpose of compliance with CEQA requirements. Because the Tentative Order may also serve as a Clean Water Act Section 401 water quality certification, both CEQA Guidelines and California water quality regulations require the Regional Board to consider final, valid CEQA documentation for the project before taking action. (Cal. Code Regs., tit. 14 § 15096; Cal. Code Regs., tit. 23, § 3856(f).) The</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense</p>

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	<p>Regional Board must be given ample time to properly review final, valid CEQA documentation before taking action. (Id.)</p> <p>Before the Regional Board may approve waste discharge requirements, the applicant must ensure that the board receives copies of the appropriate environmental analysis. (Cal. Code Regs. tit. 23, § 3741(b); see also Cal. Code Regs. tit. 23, § 3740 ("Whenever any person applies to the board for waste discharge requirements, the board may require that person to submit data and information necessary to enable the board to determine whether the project proposed may have a significant effect on the environment.")). The Regional Board may prohibit, postpone, or condition the discharge of waste for any project subject to CEQA if the information required pursuant to sections 3740 and 3741 has not been timely submitted to the board. (Cal. Code Regs. tit. 23, § 3742.)</p> <p>Environmental documents that will be considered by the board prior to approval of a project shall be available for public inspection upon request. (Cal. Code Regs. tit. 23, § 3762.) The Regional Board must also take appropriate action to encourage public participation and comment in the preparation and review of environmental documents. (Cal. Code Regs. tit. 23, § 3763.)</p> <p>RESPONSE: The San Diego Water Board is a responsible agency under CEQA in considering whether to adopt the Revised Tentative Order approving Waste Discharge Requirements for the Tesoro Extension Project. (Cal. Code Regs., tit. 14, § 15096; (California Code of Regulations, title 14, §§15000 et seq. hereinafter referred to as "CEQA Guidelines".)) The proposed Order does not consider issuance of a Clean Water Act section 401 certification.</p> <p>The lead agency responsible for CEQA document preparation is the Foothill Transportation Corridor Agency (F/ETCA). As a responsible agency, the San Diego Water Board must have valid CEQA documentation, and to comply with CEQA must consider the environmental document as prepared by the lead agency (CEQA Guidelines §15096 (i).)</p> <p>The San Diego Water Board (Board) received a copy of the 2006 Final Subsequent Environmental Impact Report (FSEIR) prepared for the South Orange County Transportation Improvement Project. The Board received an addendum that covered the Tesoro Extension Project on February 15, 2013. The Board received notification that the F/ETCA approved the addendum and conceptual design plan for the Tesoro Extension Project on April 18, 2013 in</p>	<p>Council, Endangered Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon California, California Coastal Protection Network, Defenders of Wildlife, WiLD Coast-COSTASALVAJE, and Orange County Coastkeeper</p>
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	<p>Resolution 2013F-005. That approval stated that none of the conditions requiring a subsequent or supplemental EIR under section 15162 were met.</p> <p>F/ETCA filed a Notice of Determination (NOD) with the State Clearinghouse on April 23, 2013. The San Diego Water Board has considered the information in the FSEIR and addendum F/ETCA prepared pursuant to CEQA Guidelines section 15164.</p> <p>The information contained in the FSEIR and addendum has been made available to the public and to the designated parties. Written comments were allowed until March 1, 2013, and the CEQA documentation prepared by F/ETCA was discussed at the noticed board hearing held in Orange County on March 13, 2013. The Board did not take final action at the March 13, 2013 meeting. The Board accepted additional written comments pertaining to CEQA and the addendum from designated parties, F/ETCA and the "Save San Onofre Coalition", submitted on March 29, 2013. The Board issued a notice of hearing on May 30, 2013, that stated it would consider adoption of the Revised Tentative Order at the Board meeting scheduled on June 19, 2013. The Board is accepting additional comments on the Revised Tentative Order and on CEQA prior to making a decision.</p>	
<p>Comment No.</p>	<p>CEQA Comment</p>	
<p>117</p>	<p>COMMENT: Any environmental review for the Tesoro Extension must include review of the entire Toll Road project. Review of the Tesoro Extension in isolation would represent improper segmentation of environmental review under CEQA. As discussed in more detail in the attached letter regarding the Federal Highway Administration's review of the project under NEPA, the Tesoro Extension has no independent utility apart from the Toll Road as a whole. By itself, the extension is literally a "road to nowhere," terminating at what is presently a dirt road. There is presently no demand for it, nor has any road to which it would connect been built. Moreover, the future Rancho Mission Viejo development, the yet to be constructed later phases of which would purportedly be served by the Tesoro Extension, already includes a north-south road that would accomplish the identical purpose as Tesoro, except that it would be free for users. In short, the Tesoro Extension, considered alone, is an unnecessary and irrational project that would never be built except as part of the larger Toll Road project. Like NEPA, CEQA prohibits the segmentation of a project to avoid</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense Council, Endangered Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon California, California Coastal Protection Network, Defenders of Wildlife,</p>

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	<p>environmental review. Indeed, if anything, CEQA imposes even more stringent protections against piece mealing. CEQA requires agencies to analyze impacts of any future development that is "a reasonably foreseeable consequence" of a Project and "will likely change the scope or nature of the initial project or its environmental effects." (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 396.).</p> <p>There is no question that the Toll Road as a whole is a reasonably foreseeable consequence of the Tesoro Extension, the impacts of which must be considered before TCA's application for WDRs can be approved. If Tesoro is constructed, the impacts of the remainder of the Toll Road will become virtually inevitable. Those impacts are far greater than those of the Tesoro segment. Nor is this coincidental the TCA has intentionally designed Tesoro to minimize the scope of regulatory and environmental review. For example, the Tesoro Extension would terminate only one-fifth of a mile from San Juan Creek, allowing TCA to evade Army Corps permitting for the segment. But if the first segment gets built, it will become virtually impossible to avoid impacts to the creek as TCA seeks to incrementally proceed with the remainder of the Toll Road project, something it has expressly stated it intends to do.</p> <p>The impacts to San Juan Creek and the many other significant impacts of the Toll Road must be considered by the Regional Board now, before it approves the first segment of the project. The Regional Board should postpone action on the WDRs until TCA provides a final EIR for the Toll Road project.</p> <p>RESPONSE: As noted in response to comment No. 116, for CEQA purposes, the San Diego Water Board's role in approval of Waste Discharge Requirements for the Tesoro Extension Project is more limited than that of F/ETCA in its role as lead agency. An EIR prepared by the lead agency is presumed adequate. (Public Resources Code § 21167.3, CEQA Guidelines § 15050; State of California v. Superior Court (1990) 222 Cal App. 3d 1416, 1419.)</p> <p>Regarding the project description, as stated by the court in the case commenter cites above, Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376 (Laurel Heights), determinations regarding the scope of the project and whether the project was</p>	<p>WILDCOAST-COSTASALVAJE, and Orange County Coastkeeper</p>
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	<p>adequately analyzed in the environmental document will depend on the facts of each case, and the particular facts will determine whether and to what extent an EIR must analyze future expansion or other action. (Laurel Heights, 47 Cal. 3d at p.396.)</p> <p>In its role as a responsible agency, the Board may require changes in a project only to lessen or avoid the direct or indirect environmental impacts of that part of the project to be carried out or approved by it. (CEQA Guidelines section 15042.) The Project before the San Diego Water Board is approval of waste discharge requirements for the Tesoro Extension Project. The environmental impacts associated with this project, building an extension from State Route 241 to Cow Camp Road, that are within the responsibility of the San Diego Water Board, were examined in F/ETCA's 2006 FSEIR and in the 2013 addendum approved by the F/ETCA Board of Directors on April 18, 2013 in Resolution 2013F-005.</p> <p>The Board has reviewed the environmental documents prepared and submitted by the F/ETCA as lead agency under CEQA. Under CEQA, the Board mitigates for impacts associated with that part of the project, which it as a responsible agency will approve. (CEQA Guidelines section 15041 (b).) The Board is not granting discretionary approval for any other Project, other than that identified in the 2006 FSEIR and modified by the 2013 addendum for the Tesoro Extension. The Board has incorporated mitigation measures to address impacts to environmental resources within its purview. Please also refer to responses to comment numbers 118, 121, 124, and 125.</p>	
<p>Comment No.</p>	<p>CEQA Comment</p>	
<p>118</p>	<p>COMMENT: The Regional Board cannot rely on the SOCTIIP EIR prepared for the Toll Road alignment approved by the TCA in 2006. That alignment was found to violate the Coastal Zone Management Act, and the TCA has yet to identify-much less approve-an alternative alignment.</p> <p>The previously approved Toll Road alignment-a six-lane highway that would have extended State Route 241 through 16 miles of virtually undeveloped lands in one of the most environmentally sensitive areas in California-was immediately challenged by three lawsuits filed in state court, including two filed by the California Attorney General. The lawsuits alleged, among other things, that the 2006 EIR violated CEQA on numerous grounds.</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense Council, Endangered Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon</p>

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	<p>While those lawsuits were pending, the TCA sought the California Coastal Commission's certification that the Foothill-South was consistent with the Coastal Zone Management Act. The Coastal Commission, recognizing the devastating impacts of the project on the coastal zone and the failure of the TCA to meaningfully consider alternatives, rejected the TCA's determination. The TCA appealed to the U.S. Secretary of Commerce, who upheld the Commission's decision in 2008. Accordingly, the project evaluated in the 2006 EIR and approved by TCA is no longer legally feasible. For this reason, the petitioners in the CEQA litigation conditionally dismissed the suits, reserving a right to reopen the litigation if TCA ever attempts to rely on the 2006 EIR. Since the rejection of the 2006 Toll Road alignment, the TCA has repeatedly made clear its intention to proceed with the Toll Road project, but has not yet publicly identified how it intends to revise the alignment, particularly of the final segment that was found to violate the CZMA. As of now, the location of at least the final segment of the Toll Road and the resulting environmental impacts are completely unknown.</p> <p>Until the TCA prepares a description of the revised Toll Road project and analyzes the impacts of that project, any approvals of the Tesoro portion of the project are premature.</p> <p>RESPONSE: The San Diego Water Board, as a responsible agency under CEQA, is not evaluating or approving the 16-mile highway project the commenter references. Consistent with F/ETCA's April 18, 2013, approval of the conceptual design for the Tesoro Extension Project and adoption of the addendum, in the Revised Tentative Order, the San Diego Water Board is considering approval of Waste Discharge Requirements for the Project as identified in the 2006 FSEIR and modified by the addendum.</p> <p>In Resolution 2013F-005, F/ETCA states that further approvals will be necessary for the Tesoro Extension Project. Under CEQA Guidelines section 15050 and 15052, the Board must rely on the lead agency's document unless conditions in section 15162 are met. The Board has not identified substantial changes, circumstances, or new information since April 18, 2013 when the Project was approved by F/ETCA and NOD filed that would require preparation of a subsequent EIR pursuant to section 15162.</p> <p>Based on the 2006 FSEIR and 2013 addendum, the Board's Revised Tentative Order makes</p>	<p>California, California Coastal Protection Network, Defenders of Wildlife, WiLDCOAST-COSTASALVAJE, and Orange County Coastkeeper</p>
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	<p>findings on the Tesoro Extension Project and adopts mitigation measures for impacts to environmental resources within the Board's purview. The Board cannot make a determination on what future approvals will be necessary for the Tesoro Extension Project, either by F/ETCA or other agencies with discretionary approval authority over the Project. Please also refer to response to comment numbers 117, 121, and 124.</p>	
<p>Comment No.</p>	<p>CEQA Comment</p>	
<p>119</p>	<p>COMMENT: In light of the foregoing, the Tesoro Extension will not be ready for review by the Board until the revised Toll Road project has been identified, described and analyzed by the TCA. The required analysis will almost certainly require either a new or a supplemental EIR, given the likely magnitude of the changes to the project and the potential impacts of those changes.</p> <p>As you are aware, the TCA has indicated that it is preparing an addendum to the 2006 EIR in connection with the Tesoro Extension. (Email from Richard Beck, RBF Consulting to Daren Bradford, Regional Board, Tesoro Studies Update, Oct. 2, 2012; Transportation Corridor Agencies, Staff Report No. 16, File No. 2011F-032, Initial Segment of the 241 Completion Project (October 13, 2011)). We doubt that the addendum will contain the description and impact analysis for a revised Toll Road alignment that CEQA requires. However, as far as we are aware, the TCA has yet to provide any addendum to the public or the Regional Board. At an absolute minimum, the Regional Board must defer consideration of the WDRs for the Tesoro Extension until the Board, and the public, have had a reasonable opportunity to review whatever CEQA documentation TCA intends to prepare.</p> <p>We request that the Regional Board withdraw its tentative order and the hearing thereon, and postpone further action on TCA's WDR application until TCA has submitted its CEQA compliance documents and a final HMMP. Once that occurs, the Board should allow adequate time for public comment on those documents and any proposed WDRs. Given the magnitude of the Toll Road project and the controversy surrounding it, we would expect that the public be given at least 30 days to review and comment on those documents.</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense Council, Endangered Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon California, California Coastal Protection Network, Defenders of Wildlife, WILDCOAST-COSTASALVAJE, and Orange County Coastkeeper</p>

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	<p>RESPONSE: This comment is noted, and has been addressed by events that have occurred subsequent to submission of the comment letter. The Board received an addendum to the FSEIR on February 15, 2013. The Board extended the comment period until March 1, 2013. The Board did not take final action at the March 13, 2013 hearing, it accepted additional written comments on March 29, 2013, and has provided for an additional written comment period prior to consideration of the Revised Tentative Order on June 19, 2013. The project before the Board is defined as the Tesoro Extension Project, described in an addendum submitted to the Board on February 15, 2013, and approved by F/ETCA on April 18, 2013. Since that approval, the Board has provided additional written comment period and will allow additional testimony on the CEQA issues raised at the Board meeting on June 19, 2013. Please also refer to responses to comment numbers 116, 117, 118, 121, 124, and 125 for the San Diego Water Board's role in the project approval.</p>	
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Comment No.	Mitigation Plan Comment	
120	<p>COMMENT: The Regional Board must also insist that TCA finalize the draft Habitat Mitigation and Monitoring Plan ("HMMP) before WDRs may be issued. As currently drafted, the Tentative Order permits TCA to file an updated HMMP in June 2013, three months after the proposed date for considering approval of the WDRs. Until the content of the final HMMP is known, neither the Board nor the public can meaningfully review the mitigation plan or the impacts of the project.</p> <p>RESPONSE: Section VII.C of Revised Tentative Order No. R9-2013-0007 requires that the complete HMMP be posted on the San Diego Water Board website and released for public review and comment for a minimum of 30 days.</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense Council, Endangered Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon California, California Coastal Protection Network, Defenders of Wildlife, WiLDCOAST-COSTASALVAjE, and Orange County Coastkeeper</p>
Comment No.	CEQA Comment	
121	<p>COMMENT: As discussed in our letter dated February 6, 2013, the TCA has failed to provide the "final, valid CEQA documentation" that the Regional Board must review before it may approve TCA's application. (Cal. Code Regs., tit.23, section 3856(f)). The Regional Board cannot rely on the SOCTIIP EIR prepared for the Toll Road alignment approved by the TCA in 2006 because the project described in that document was found by the Coastal Commission and the U.S. Department of Commerce to violate the Coastal Zone Management Act due to the impacts of the toll road (the last four miles of which ran through San Onofre State Beach) on the coastal zone. The TCA has yet to identify much less approve a proposed alternative to the rejected alignment. As discussed in our February 6 letter, the Tesoro Extension does not, by itself, have any independent utility, and can only be analyzed as part of the toll road project as a whole. Until the TCA fully describes the new project in its entirety, and prepares the required CEQA documentation for that project, the Regional Board may not proceed with consideration of</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense Council, Endangered Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon California, California</p>

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	<p>WDRs for the initial segment of that project.</p> <p>Nor may TCA rely on the "addendum" to the 2006 EIR. This document prepared by TCA staff and submitted to the Regional Board only 3 days ago, without any public notice or any action by the TCA Board of Directors-not only deprives the Regional Board and the public of any opportunity to meaningfully review and comment on the submitted material, but it does nothing to address the fundamental problem, as it continues to rely on the 2006 EIR for a "project" that was invalidated by the Coastal Commission and Commerce Department. The project approved by TCA no longer exists, and we have no idea today what new project the TCA intends to pursue, much less the environmental impacts of that project.</p> <p>The addendum does not answer this question. It merely states that the Tesoro Extension would "not preclude a connection to any of the 19 toll road alternatives" previously considered by TCA through engineering and construction "with standard cut and fill grading." Setting aside the fact that the impacts of any such re-engineering of the alignments (some of which would require new grading along substantial lengths of San Juan Creek) have never been analyzed, and the fact that construction of the Tesoro Extension would as a practical matter preclude alternatives (such as widening I-5) that do not involve constructing toll road alignments, we still have no idea which of the previous alignments, if any, the TCA is proposing to undertake. Indeed, the TCA has already determined that every one of the earlier 19 alternatives is "infeasible." (See Foothill/Eastern Transportation Corridor Agency, Resolution No F2006-02, Resolution of the Board of Directors of the Foothill/Eastern Transportation Corridor Agency Selecting the Preferred Alternative for the South Orange County Transportation Improvement Project (February 23,2006), Attachment A: Findings, Facts in Support of Findings and Statement of Overriding Considerations Regarding the Subsequent Environmental Impact Report for the SOCTIIP, at230,238). To assert that environmental review is sufficient because one of those projects might be the project that is ultimately built is plainly contrary to CEQA.</p> <p>Until TCA identifies what the new project is, neither the Regional Board nor the public can have any idea what the project's impacts will be. Indeed, without a project description, it is impossible to know whether a subsequent EIR or an entirely new EIR will be required. But what is certain is that the invalidation of the TCA's previously approved Foothill-South project-together with the TCA's failure to identify the substitute route that the toll road would take, has created at the very least a "substantial change" to the project and the circumstances under which the project is</p>	<p>Coastal Protection Network, Defenders of Wildlife, WiLDcoast- COSTASALVAJE, and Orange County Coastkeeper</p>
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	<p>being undertaken, requiring major revisions to the prior EIR under section 21166 of the Public Resources Code. The addendum prepared by TCA staff-which provides no indication of what project the TCA Board intends to pursue-is meaningless and is not "final, valid CEQA documentation" for the project.</p> <p>For this reason alone, the Board should deny the TCA's application, and should not consider the matter unless and until the TCA Board has approved a new project and completed all required CEQA documentation for the project.</p> <p>RESPONSE: As noted in responses to comment numbers 116, 117, 118, and 119, the F/ETCA Board of Directors has approved the addendum and conceptual design for the Tesoro Extension Project. The Tesoro Extension Project is the only project before the San Diego Water Board at this time. The FSEIR and 2013 addendum together describe the environmental effects of the Tesoro Extension Project to resources that are within the San Diego Water Board's responsibility.</p> <p>In the Board's role as responsible agency, unless conditions as described in CEQA Guidelines section 15162 occur, it is bound by the lead agency's determination. (CEQA Guidelines sections 15050, 15052.) The commenter raises issues regarding future actions F/ETCA may take and the utility of the Project. Whether the FSEIR and 2013 addendum will ultimately be determined to be adequate for a future, as yet undefined project, or will be adequate in their examination of impacts on other resources, are issues that are not before the Board now. (For discussion of whether an agency should require preparation of a subsequent or supplemental EIR for environmental impacts over which it does not have discretionary authority see San Diego Navy Broadway Coalition Complex v. City of San Diego, (2010) 185 Cal.App.4th 924, 938-939. The court determined that it was counter to CEQA for an agency to require further environmental analysis for impacts it could not possibly mitigate for with its existing authority.)</p>	
<p>Comment No.</p>	<p>Hydromodification Comment</p>	
<p>122</p>	<p>COMMENT: The Regional Board should also deny the application because it does not comply with the requirements of the Water Code. As explained in the February 15, 2013 comment letter from ESA/PV/A, TCA's Report of Waste Discharge Application package fails to analyze impacts from the project on sediment transfer, and therefore fails to implement the adopted Southern</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation,</p>

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	<p>Orange County Hydromodification Management Plan (Orange County, 2011) ("HMP"). "Waste discharge requirements "shall implement any relevant water quality control plans that have been adopted" (Cal. Water Code Section 13263). Because the WDRs do not address the requirements of the HMP, TCA's application must be denied as a matter of law. The February 15, 2013 letter also demonstrates that the proposed mitigation for the project is focused in a watershed that contributes less coarse sediment to receiving waters, potentially resulting in less than equivalent mitigation.</p> <p>RESPONSE: See Response to Comment 1. Section V.B. of Revised Tentative Order R9-2013-0007 requires the Discharger to "comply with the draft Model Water Quality Management Plan (Model WQMP) for South Orange County, dated December 16, 2011, and the draft South Orange County Hydromodification Plan (HMP), dated December 11, 2011." In complying with the Model WQMP and the HMP the Discharger must consider avoiding coarse sediment yield areas and implementation of measures to that allow coarse sediment to be discharged to receiving waters to prevent sediment deficit. The Revised Tentative Order, section V.B. requires F/ETCA to submit and implement an updated Runoff Management Plan by October 31, 2013, prepared and certified by a properly qualified engineer, that clearly indicates the means for compliance with all of the requirements in the HMP, including those regarding coarse bed material sediment supply. The HMP contains provisions for avoiding coarse sediment yield areas and implementation of measures that allow coarse sediment to be discharged to receiving waters to prevent sediment deficit.</p>	<p>Natural Resources Defense Council, Endangered Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon California, California Coastal Protection Network, Defenders of Wildlife, WiLDCOAST-COSTASALVAJE, and Orange County Coastkeeper</p>
<p>Comment No.</p>	<p>CEQA Comment</p>	
<p>123</p>	<p>COMMENT: The Regional Board should deny the TCA's application on March 13 based on the application's plain failure to comply with CEQA or the Water Code. This failure will require substantial new documentation to remedy, and neither the public nor the Regional Board should be made to expend further time and resources on this matter until that documentation is submitted.</p> <p>If the Regional Board does not deny the application on March 13, then it should convert the hearing currently scheduled for March 13 in Costa Mesa to a workshop, and schedule a hearing at least thirty days later in San Diego County, where there has been demonstrated public concern on this issue in the past. The complexity of the project, the multiplicity of legal and technical issues, and the late availability of key documents (e.g., TCA's CEQA addendum and</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense Council, Endangered Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon</p>

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	<p>Habitat Mitigation and Monitoring Plan) mean that neither the Regional Board nor the public will have had sufficient time to consider all of the issues by March 13.</p> <p>In addition, holding at least one hearing in San Diego is critical to providing the affected public an opportunity to participate in the decision making on this extremely controversial project. Some of the most severe environmental impacts of the toll road (at least as previously approved by the TCA) will occur in San Diego County (See generally California State Parks Foundation v. Superior Court (2007) 150 Cal.App.4th 826). According to the Surfrider Foundation, over 1,000 residents of San Diego attended the February 2008 Coastal Commission hearing in Del Mar regarding the Foothill South project, and similar numbers attended the subsequent Commerce Department hearing regarding the project at the same location. Limiting the public forum to Costa Mesa would effectively shut out a huge portion of the interested public from appearing before the Regional Board.</p> <p>We also request that the public comment period be extended at least until the scheduled March 13, 2013 hearing date to provide additional time for review and comment on the documents just recently made available.</p> <p>RESPONSE: The Board did not take final action on the Tentative Order at the March 13, 2013 meeting. The Board will consider a Revised Tentative Order at the June 19, 2013 Board meeting in San Diego. As stated in the Notice of Hearing issued on May 30, 2013, the Board is allowing additional opportunity for written comment on CEQA issues and will allow oral testimony at the Board meeting on June 19, 2013 prior to consideration of the Order. Additionally, see responses to comment numbers 116 and 119 regarding Board actions taken prior to, during, and after the March 13, 2013 meeting.</p>	<p>California, California Coastal Protection Network, Defenders of Wildlife, WiLDCOAST-COSTASALVAJE, and Orange County Coastkeeper</p>
<p>Comment No.</p>	<p>CEQA Comment</p>	
<p>124</p>	<p>COMMENT: As discussed in our letters dated February 6, 2013 and February 22, 2013, the TCA has failed to provide the "final, valid CEQA documentation" that the Regional Board must review before it may approve TCA's application. (Cal. Code Regs., tit.23, section 3856(f)).</p> <p>The TCA asserts that, under CEQA, the Regional Board is "required to rely on the CEQA documentation approved by the F/ETCA," and thus is bound by the 2006 EIR for the SOCTIIP</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense Council, Endangered</p>

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<p>project. (TCA letter at 4-5). But the very regulations cited by TCA state an exception to the general rule regarding responsible agencies: a prior EIR is not conclusive on responsible agencies if "[c]ircumstances or conditions change as provided in Section 15162 [of the CEQA Guidelines]." (Cal. Code Regs., tit. 14, § 15050(c).) Section 15162 requires a subsequent EIR where "[s]ubstantial changes are proposed in the project," or where "[s]ubstantial changes occur with respect to the circumstances under which the project is undertaken," which will require major revisions of the previous EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects. (Cal. Code Regs., tit. 14, section 15162(a)(1) and (2)).</p> <p>The TCA letter states that these conditions are "not applicable." But incredibly, nowhere does the letter mention that the project described in the 2006 EIR and approved by TCA was found by the Coastal Commission and the U.S. Department of Commerce to violate the Coastal Zone Management Act. There can be no doubt that the determination by these state and federal agencies that the Foothill-South (or at least the final segment which impacts the Coastal Zone) is inconsistent with federal law is a "substantial change . . . with respect to the circumstances under which the project is undertaken," or that the determination will require TCA to make "substantial changes . . . to the project." Until the TCA identifies what will replace the invalidated alignment, and analyzes the impacts of the revised alignment, CEQA review is not complete.</p> <p>The TCA letter states that TCA has approved an addendum to the 2006 EIR determining that the Tesoro Extension will not create any new significant impacts not already analyzed in the 2006 EIR. But this misses the point. The addendum does not describe what alignment the project would take south of Cow Camp Road. It simply states that the Tesoro Extension would "not preclude a connection to any of the 19 toll road alternatives" previously considered by TCA, and provides an attached figure showing how the Tesoro Extension might be connected to "future alternative alignments," stating that "there is no indication that any of the connections cannot be successfully engineered" (Addendum at 1-4 and Fig. 4: 2-2.). Setting aside the fact that TCA has never evaluated the impacts of these new "connections," the fact that the road could follow one of 19 alternative alignments previously described tells us nothing about the actual route the TCA intends to build. Indeed, the TCA has formally rejected every one of those alignments as "infeasible." We do not know whether TCA intends to retract its earlier findings of infeasibility and approve a connection to one of the previously rejected alignments, or modify one of those alignments, or identify an altogether new alignment. Until TCA has identified, analyzed, and approved a substitute alignment for the toll road, the processing of further toll</p>	<p>Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon California, California Coastal Protection Network, Defenders of Wildlife, WiLDCOAST-COSTASALVAJE, and Orange County Coastkeeper</p>
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	<p>road approvals may not proceed.</p> <p>"The first step in determining whether supplemental environmental review is required under section 21166 is to identify the changes in the project that were not considered in the original environmental review document"(American Canyon Cmty. United for Resp. Growth v. City of Am. Canyon (2006) 145 Cal. App. 4th 1062,1073-74.). Only then can the agency determine whether those changes will have a significant impact on the environment. (Id. at 1078-81 (distinguishing cases in which "the court was able to identify specific, solid evidence in the record supporting the agencies' determinations that project changes would not have significant environmental effects requiring supplemental environmental review.")). TCA cannot proceed with the project until it undertakes this analysis. American Canyon is consistent with a long line of CEQA cases overturning project approvals where the agency failed to "adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project" (Comm. for a Better Env't v. City of Richmond, (2010) 184 Cal.App.4th 70, 82-83).</p> <p>The cases cited by TCA in its letter do not support its position. In Santa Teresa Citizen Action Group v. City of San Jose (2003) 114 Cal. App.4th 689, the public agency had accurately described the entire modified pipeline route that it later approved in an addendum. This allowed the reviewing court to conclude that the environmental impact of the new alignment was not substantially different from or greater than the impacts considered in previous studies. (114 Cal.App.4th at 705). Similarly, in Mani Brothers Real Estate Group v. City of Los Angeles (2007) 153 Cal. App. 4th 1385, the City of Los Angeles had clearly described the modified development project for which it had prepared an addendum. In fact, in every case that TCA references in its letter, the public agency had clearly described the nature and scope of the modified project. TCA has not done so here.</p> <p>RESPONSE: See responses to comment numbers 116, 117, 118, 121 and 125 regarding the role of the San Diego Water Board as a responsible agency under CEQA. At the time the comment letter was submitted, F/ETCA had submitted an addendum to the Board which described the Tesoro Extension Project, but had not identified a discretionary approval for which the addendum applied, nor had it filed a Notice of Determination (NOD) for the addendum and approval. Since the comment letter was received, F/ETCA has supplied the Board with Resolution 2013F-005 from its board of directors approving the Tesoro Extension conceptual</p>	
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	<p>design, and has filed a NOD with the State Clearinghouse. The Commenter cites several cases F/ETCA relies on to support its decision to prepare an addendum and disagrees with F/ETCA's reliance on the cited cases to support its decision. The Board notes that in <i>Mani Brothers v. City of Los Angeles</i> (2007) 153 Cal.App. 4th 1385 (Mani Brothers), the court, in deciding whether further environmental review is required under Public Resources Code 21166, it found that the key question was not whether the project was a modified project rather than new project and the application of that label, but rather whether the changes constituted a new environmental impact that triggered the need for further review under CEQA Guidelines section 15162. (Mani Brothers, 153 Cal. App. 4th 1400-1401.)</p> <p>The Board has a description of the Project as defined by F/ETCA in the 2013 addendum. In its review of the environmental impacts identified in the 2006 FSEIR and addendum, the Board has found that there are mitigation measures that address and mitigate those impacts to environmental resources that are within the Board's responsibility to mitigate and have included such measures in the Revised Tentative Order.</p>	
<p>Comment No.</p>	<p>CEQA Comment</p>	
<p>125</p>	<p>COMMENT: As discussed in our February 6 letter, the Tesoro Extension does not, by itself, have any independent utility, and can only be analyzed as part of the toll road project as a whole.</p> <p>There is no question that the Toll Road as a whole is a reasonably foreseeable consequence of the Tesoro Extension, the impacts of which must be considered before TCA's application for WDRs can be approved. (<i>Laurel Heights Improvement Assn. v. Regents of University of California</i> (1988) 47 Cal.3d 376, 396). Tellingly, TCA does not attempt to distinguish Laurel Heights with evidence of the Tesoro Extension's independent utility. Rather, it asserts the case is distinguishable because the 2006 EIR analyzed the entire Toll Road project. Again TCA misses the point. As discussed above, the project described in the 2006 EIR must be changed substantially because of the determinations of the Coastal Commission and Commerce Department, and no document has yet described or analyzed those changes.</p> <p>The only reference to the utility of the Tesoro Extension is TCA's statement that the segment will "provide traffic relief" and "provide important transportation benefits to a rapidly growing area in south Orange County and connect with Cow Camp Road, the new major east-west arterial</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense Council, Endangered Habitats League, Sierra Club, California State Parks Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon California, California Coastal Protection Network, Defenders of Wildlife, WiLDCOAST-COSTASALVAJE, and Orange County</p>

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<p>bypass to Ortega Highway" (TCA Letter at 10-11). But nothing in this unsupported statement explains the utility of providing a 4-6 lane toll road to serve the future Rancho Mission Viejo development, when that development already includes a 2-lane north-south road ("F Street") that would provide for all the transportation needs of RMV if and when future build out of the project requires it. There is no rational purpose in providing a road with double or triple the capacity needed to serve future development except as the first phase of a larger toll road that will connect to the I-5.</p> <p>The TCA Letter also fails to provide any evidence that commencement of the first phase of the toll road will not foreclose a reasonable range of alternatives. The enormous cost of the Tesoro Extension is alone sufficient to preclude any serious consideration of non-toll-road alternatives to the Foothill-South. Once the TCA has made an irrevocable \$200 million investment in the first segment, any non-toll road alternatives, such as expansion of I-5, the arterial system, or transit services, will be effectively eliminated from consideration. Extension of the first segment "could be too easily justified on the basis of previous commitment of resources in the completion of that segment. (See <i>Patterson v. Exxon</i> (D. Neb. 1976) 415 F. Supp. 127 6, 1 284 (holding that the National Environmental Policy Act prohibited terminating a road segment at the boundaries of a park because construction of the first segment made "further construction through that area ... almost inevitable"))).</p> <p>TCA simply ignores the effect constructing the project on toll road alternatives. Instead it provides an attached sketch showing how the Tesoro Extension might be connected to "future alternative alignments," but concedes that these are only conceptual, and provides no evidence of the feasibility or impacts of those connections beyond unsupported assertions. (Addendum at I-4 and Fig. 4: 2-2.) Moreover, as noted earlier, TCA has previously rejected as "infeasible" each of the alternative alignments shown (other than the now legally infeasible preferred alignment originally approved by TCA).</p> <p>TCA goes on to make the incredible claim that the environmental effects of the project "will remain the same, with or without a future extension [south of Cow Camp Road]" (TCA Letter at 10-1 1.). This statement defies reason - the additional ten miles has the potential for vast environmental damage as evidenced by the rejection of the original Foothill-South alignment by the Coastal Commission and Commerce Department. Until we know what the alignment is in full, there is no way to know what the nature or extent of that damage may be.</p>	<p>Coastkeeper</p>
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	<p>RESPONSE: The San Diego Water Board is evaluating the Project that F/ETCA, as lead agency, has identified and approved in its addendum to the 2006 FSEIR. Comments regarding utility of the proposed Tesoro Extension do not pertain to the adequacy of the Revised Tentative Order for Waste Discharge Requirements. In these circumstances, as a responsible agency under CEQA, the Board must presume the EIR is adequate unless any of the conditions in CEQA Guidelines section 15162 have been met. Under CEQA Guidelines section 15096, the Board's role is limited to considering impacts to resources within its purview.</p> <p>Since F/ETCA's approval and filing of the NOD for the Tesoro Extension Project, the Board has determined that there are no new impacts, information, or changes in circumstances that would trigger the need for additional review by the Board under Public Resources Code section 21166 or CEQA Guidelines section 15162.</p> <p>CEQA provides for limited circumstances whereby a responsible agency can assume the role of lead agency. In this circumstance, the Board cannot assume role of lead agency under CEQA Guidelines section 15052. Under section 15052, unless the lead agency has: 1) granted final approval for the project; 2) the statute of limitations for challenging the lead agency actions have passed; and 3) conditions under section 15162 have been met, a responsible agency cannot assume the role of lead agency. As reflected in the decision by F/ETCA, the lead agency has not granted final approval for the Tesoro Extension Project and the Board has determined that the conditions under 15162 have not occurred since approval of the addendum. Please also refer to responses to comment numbers 117, 118, 121, and 124.</p>	
<p>Comment No.</p>	<p>CEQA Comment</p>	
<p>126</p>	<p>COMMENT: The TCA goes to great lengths to describe the opportunities for public participation on the project that TCA. (TCA Letter at 11). But these opportunities all pre-date TCA's March 2006 approval of the Foothill-South. Since the invalidation of that project by the Coastal Commission and the Commerce Department, TCA has failed to provide the public with any meaningful opportunity to participate in decision making on the project. Instead, the TCA seems intent on pushing forward with construction on the first phase of the project without telling the public what the full project actually is. Indeed, even the minimal additional CEQA documentation the TCA has prepared, the Addendum has not been brought before the TCA Board or been the</p>	<p>Commenter: William J. White, Shute, Mihaly & Weinberger LLP, on behalf of the Surfrider Foundation, Natural Resources Defense Council, Endangered Habitats League, Sierra Club, California State Parks</p>

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	<p>subject of any public review and comment. The few studies that were done in connection with the Addendum such as the traffic analysis cited in the TCA letter-have yet to be made public.</p> <p>The TCA has apparently insisted on an expedited process for consideration of its WDR Application, which has further deprived the public of adequate opportunity for review and comment. The Addendum was not made available to the public until February 19, a last-minute submission that gives the public less than one week to review and submit written comments by the February 25 deadline.</p> <p>The complexity of the project, the multiplicity of legal and technical issues, and the late availability of key documents mean that neither the Regional Board nor the public will have had sufficient time to consider all of the issues by March 13.</p> <p>Even with the short time frame available review, it is clear that there are fatal deficiencies in the documents submitted by TCA. For example, as described in the letter from biologist Robert Hamilton dated February 25, 2013, the TCA's HMMP contains glaring deficiencies, including a complete failure to address impacts to the San Diego Cactus Wren. New significant new information about this species that has come to light since the TCA approved the project in 2006 shows that populations in the area have plummeted by more than 90% in recent years, yet there is nothing in the HMMP that will address Tesoro's impacts to this species. This alone would require a subsequent EIR under Section 21166 of the Public Resources Code. Further time for review would be required to fully address the deficiencies in the TCA's environmental documentation. The Board should deny the TCA's application, and should not consider the matter unless and until the TCA Board has completed all required CEQA documentation for the project. Thank you for your consideration of these additional comments.</p> <p>RESPONSE: Many of commenter's concerns pertain to F/ETCA's actions. The Commenter claims that F/ETCA has not provided enough public participation for approval of the Tesoro Extension. The Board makes no determination as to whether F/ETCA has provided adequate public participation for F/ETCA's approval process for the addendum. The addendum was provided to the Board on February 15, 2013 and has been available to the public on the Board's website since February 19, 2013. The Board notes that under the CEQA Guidelines, an addendum prepared under section 15164 need not be circulated for public review or comment.</p>	<p>Foundation, Sea and Sage Audubon Society, Laguna Greenbelt, Inc., Audubon California, California Coastal Protection Network, Defenders of Wildlife, WILD COAST-COSTASALVAJE, and Orange County Coastkeeper</p>
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	<p>Additional points raised by commenter have been addressed by actions the Board has taken since the comment letter was submitted. Regarding concerns about public review of the Revised Tentative Order and CEQA documentation, the Board did not take final action on the Order at the March 13 board meeting. The Board considered written comments until March 1, 2013, and has provided an additional comment period prior to the June 19, 2013 meeting when the Board will consider adoption of the Revised Tentative Order. At the June 19, 2013 meeting, the Board will accept additional public testimony. The Commenter claims that declining numbers of cactus wren is significant new information since the 2006 FSEIR and is not addressed in the HMMP. F/ETCA discussed the cactus wren in its February addendum. Please also see response to comment number 5 for discussion of the HMMP. Please also see responses to comment numbers 116, 119, and 123 for a discussion of the Board's procedural actions pertaining to the Order.</p>	
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