

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION  
3737 Main Street, Suite 500  
Riverside, CA 92501-3348

AMENDED NOTICE OF FILING AND RECIRCULATION, NOTICE OF PUBLIC  
HEARING, AND NOTICE OF OPPORTUNITY TO COMMENT  
For  
BASIN PLAN AMENDMENTS TO INCORPORATE TOTAL  
MAXIMUM DAILY LOADS FOR COPPER IN NEWPORT BAY,  
ORANGE COUNTY, CALIFORNIA

**NOTICE IS HEREBY GIVEN THAT** the California Regional Water Quality Control Board, Santa Ana Region (Santa Ana Water Board) has filed and is recirculating proposed amendments to the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) and the revised Draft Substitute Environmental Document 2021 (SED 2021), and will consider adoption of the proposed amendments to the Basin Plan to incorporate Total Maximum Daily Loads (TMDLs) for Copper (Cu) in Newport Bay, Orange County, California. Implementation strategies to address Copper are included in the amendments. If approved by the Santa Ana Water Board, State Water Resources Control Board, the Office of Administrative Law, and U.S. Environmental Protection Agency (USEPA), these Copper TMDLs will supersede the Copper TMDLs established in 2002 by USEPA for Newport Bay.

Action on the proposed amendments will be taken in accordance with the regulatory program exemption under section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*), and in accordance with other applicable laws and regulations.

The Santa Ana Water Board will hold a public hearing to consider the approval of the SED 2021 and the adoption of the proposed amendments. The Board may consider changes to the amendments consistent with their general purpose at the hearing. The public hearing will be held at the regularly scheduled Santa Ana Water Board meeting as follows:

**DATE:** September 17, 2021  
**TIME:** 9:00 a.m.  
**LOCATION:** Video and Teleconference Meeting Only  
No Physical Meeting Location  
(Authorized by and in furtherance of Executive Order N-08-21). Live video webcast can be found at the following link:  
[LIVE VIDEO](#)

Additional information about participating telephonically or via the remote meeting platform will be available at least ten days before the hearing in the meeting agenda. A copy of the Santa Ana Water Board's agenda for the public hearing and agenda materials will be available at least ten days prior to the date of the public hearing and will be available at the Water Board website at the following link:

[https://www.waterboards.ca.gov/santaana/board\\_info/agendas/2021\\_agendas.html](https://www.waterboards.ca.gov/santaana/board_info/agendas/2021_agendas.html). As noted above, the public hearing is currently scheduled to take place via video and teleconference only, but the format may be changed in the future to also allow for in-person attendance. Any person

*Notice of Recirculation and Filing of SED, Public Hearing, and Opportunity to Comment  
- Basin Plan Amendments for Cu TMDLs - June 2021*

who would like to receive future notices about changes to the date, time, location, or format of the public hearing should sign up for the Lyriss e-mail list for board meetings by using the following link:

[https://www.waterboards.ca.gov/resources/email\\_subscriptions/reg8\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/reg8_subscribe.html).

**Public participation is an important part of this process.** Written comments on the proposed revised amendments and the revised draft SED must be received no later than **5:00 pm. on August 16, 2021**. Santa Ana Water Board staff will prepare written responses to comments received by this deadline. Written comments should be submitted electronically to Dr. Linda Candelaria at [RB8.CuTMDL@Waterboards.ca.gov](mailto:RB8.CuTMDL@Waterboards.ca.gov), or by mail to the following:

Dr. Linda Candelaria  
Santa Ana Regional Water Quality Control Board  
3737 Main Street, Suite 500  
Riverside, CA 92501-3348

The Santa Ana Water Board initially circulated the draft SED and proposed Basin Plan amendment for comment on August 30, 2016 and received comments on those drafts. The Santa Ana Water Board made revisions to the draft documents and recirculated the documents on July 10, 2018 for comments. Comments received during the previous comment periods were responded to and should not be resubmitted. Please limit new comments to the revised portions of the draft documents and to issues that were not raised during the previous comment periods. Responses to written comments received by the August 16, 2021 deadline will be posted on the Santa Ana Water Board FTP site prior to the scheduled hearing.

The Santa Ana Water Board will accept oral comments at the hearing on **September 17, 2021**. The Board may impose time limits on oral presentations at the hearing. Persons with similar views are encouraged to make joint presentations. To the extent possible, please provide written summaries of oral comments and/or presentations. **Any person may ask for additional time for their oral comment by sending a request with a justification supporting the request to Jayne Joy at [Jayne.Joy@waterboards.ca.gov](mailto:Jayne.Joy@waterboards.ca.gov) or by contacting her at (951) 782-3284 by 5:00 p.m. on September 6, 2021.** Interested persons requesting additional time will be advised prior to the date of the hearing of the amount of time they will be allocated. The decision to grant or deny additional time will be based upon the complexity and the number of issues under consideration, the extent to which entities and persons have coordinated, the number of interested persons anticipated, the extent to which entities and persons have identified unique interests, and the time available for the hearing. It is the Santa Ana Water Board's intent that reasonable requests be accommodated.

Procedures for viewing and/or participating in the hearing, including the timeframe and directions for submitting Virtual Speaker Cards for individuals who want to provide oral comments, will be detailed in the Santa Ana Water Board's agendas for these meetings. The Chair of the Santa Ana Water Board will also issue an Order of Proceedings for the conduct of the public hearing prior to the hearing. A copy of the Santa Ana Water Board's agenda for the public hearing and agenda materials will be available at least ten days prior to the date of the public hearing and will be available at the Water Board website at the following link: [https://www.waterboards.ca.gov/santaana/board\\_info/agendas/2021\\_agendas.html](https://www.waterboards.ca.gov/santaana/board_info/agendas/2021_agendas.html)

Please direct any questions regarding this notice to Dr. Linda Candelaria at [RB8.CuTMDL@Waterboards.ca.gov](mailto:RB8.CuTMDL@Waterboards.ca.gov) or (951) 782-4991.

