

State of California
Regional Water Quality Control Board
San Diego Region

SUPPLEMENTAL
EXECUTIVE OFFICER SUMMARY REPORT
February 13, 2008

ITEM: 7

SUBJECT: PUBLIC HEARING: Reissuance of NPDES Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) draining the watersheds of the County of Orange, the Orange County Flood Control District, and the incorporated Cities of Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente, and San Juan Capistrano within the San Diego Region (South Orange County Municipal Storm Water Requirements). The California Regional Water Quality Control Board, San Diego Region (Regional Board) will consider issuance of Tentative Order No. R9-2008-0001 (formerly Tentative Order No. R9-2007-0002) containing the South Orange County Municipal Storm Water Requirements. A public hearing for this item was held before a Panel of the Regional Board, on April 11, 2007. (Tentative Order No. R9-2008-0001, NPDES Permit No. CAS0108740) (Jeremy Haas)

The public review and comment period for the revised Tentative Order began on December 12, 2007 with the public distribution of the revised Tentative Order. Only written comments received by 5:00 p.m. on January 24, 2008 will be provided to the Regional Board members for their consideration prior to the hearing. Oral comments will be accepted on modifications to the Tentative Order that have been made following the April 11, 2007 hearing. Time allotted for oral comments may be limited at the discretion of the Regional Board presiding officer.

PURPOSE: Today's meeting provides the Regional Board with the opportunity to hear public testimony on revisions to Tentative Order No. R9-2008-0001 and consider issuance of the Order as modified.

- PUBLIC NOTICE:** Public noticing was described in the original Executive Officer's Summary Report (EOSR).
- DISCUSSION:** This Supplemental EOSR contains tentative errata and revisions based on comments received (Supporting Document No 12). Several changes to compliance deadlines are proposed to reflect the scheduled effective date of the Tentative Order. Non-substantive revisions to requirements are also proposed to the following areas:
1. Inspections of inlet filter devices (Section D.1.f.2.c.v.);
 2. Development of hydromodification criteria (Section D.1.h.4);
 3. Use of low-impact development approaches (Sections D.1.c and D.1.d);
 4. Clarification of enhanced best management practices (Sections D.2.d.c, D.3.a.2.c, D.3.b.2.c, etc.).
- Also included is a comment letter (Supporting Document No. 13) from the Natural Resources Defense Council (NRDC) that was provided electronically with the original EOSR, but inadvertently omitted from the hardcopy of Supporting Document No. 10 in the original EOSR.
- In addition, Supporting Document No. 14 includes comment letters received after January 24, 2008.
- KEY ISSUES:** Key issues remain as described in the original Executive Officer's Summary Report.
- LEGAL CONCERNS:** None.
- SUPPORTING DOCUMENTS:**
- 1-11. Included with the original Executive Officer's Summary Report
 12. Errata and proposed revisions based on the comments received.
 13. Comment letter from NRDC dated January 24, 2008.
 14. Written comments received after January 24, 2008.
 - a) Orange County Coastkeeper
 - b) City of Laguna Beach
 - c) County of Orange
 - d) List of additional references provided by NRDC
- RECOMMENDATION:** It is recommended that the Board receive public testimony and adopt Tentative Order No. R9-2008-0001, with errata, as modified.