

SUPPLEMENTAL
EXECUTIVE OFFICER SUMMARY REPORT
November 18, 2009

ITEM: 12

SUBJECT: PUBLIC HEARING: Reissuance of NPDES Waste Discharge Requirements for Discharges of 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. (Tentative Order No. R9-2009-0002, formerly Tentative Order Nos. R9-2008-0001 & R9-2007-0002, NPDES Permit No. CAS0108740) (*Ben Neill*)

The public review and comment period for the fifth version of the Tentative Order began on August 12, 2009. Written comments received by 5:00 p.m. on September 28, 2009 will be provided to the Regional Board members for their consideration prior to the hearing. Oral comments will be accepted on the fifth version of the Tentative Order. As noted in the public hearing notice, commenters are expected to orally summarize their comment(s) and not to raise new issues that could have been raised in timely written comments. Time allotted for oral comments may be limited at the discretion of the Regional Board presiding officer.

PURPOSE: Today's public hearing provides the Regional Board with the opportunity to hear public testimony on Tentative Order No. R9-2009-0002 and consider adoption of the Tentative Order.

PUBLIC NOTICE: Public noticing was described in the original Executive Officer's Summary Report (EOSR).

DISCUSSION: This Supplemental EOSR contains two comparative analyses of the Tentative Order (R9-2009-0002) with the current Order (R9-2002-0001) and the Santa Ana Regional Board's MS4 Permit for North Orange County (R8-2009-0030).

KEY ISSUES: Key issues remain as described in the original Executive Officer's Summary Report.

LEGAL CONCERNS: None.

SUPPORTING DOCUMENTS: 10. MS4 Permit Comparison: Tentative Order R9-2009-0002 to the Current Orange County MS4 Permit (Order No. R9-2002-01).
11. Comparison of Orange County MS4 NPDES Permits: Tentative Order R9-2009-0002 to R8-2009-0030.

RECOMMENDATION: It is recommended that the Board receive public testimony at today's hearing, close the public comment period, and adopt the Tentative Order (with updates and errata).