



California Regional Water Quality Control Board Santa Ana Region



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Edmund G. Brown Jr.
Governor

NOTICE OF PUBLIC HEARING AND NOTICE OF FILING PURSUANT TO §21080.5 OF THE PUBLIC RESOURCES CODE

TO: Any Interested Person

FROM: California Regional Water Quality Control Board, Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501

DATE: May 24, 2011

PROPONENT: California Regional Water Quality Control Board, Santa Ana Region

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Santa Ana Region (Regional Board) will consider adoption of revisions to an amendment to the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) that was approved by the Regional Board on September 7, 2007 (Resolution No. R8-2007-0024) to incorporate Total Maximum Daily Loads (TMDLs) for organochlorine compounds for San Diego Creek, Upper Newport Bay and Lower Newport Bay, Orange County, California. The Regional Board-adopted amendment has not been approved by all requisite agencies and is not yet effective. Action on the proposed changes to the amendment will be taken in accordance with a 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 with other applicable laws and regulations.

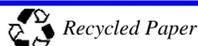
A public hearing will be held by the Regional Board to consider the adoption of the recommended revisions to the Regional Board-adopted amendment. Further changes consistent with the general purpose of the revisions may be considered by the Regional Board. The public hearing will be held at the regularly scheduled Regional Board Meeting at the following time and location:

DATE: July 15, 2011
TIME: 9:00 a.m.
LOCATION: City of Loma Linda Council Chambers
25541 Barton Road
Loma Linda, CA 92354

Discussion

On September 7, 2007, the Regional Board adopted Resolution No. R8-2007-0024, amending the Water Quality Control Plan for the Santa Ana River Basin to Incorporate Organochlorine Compounds Total Maximum Daily Loads (TMDLs) for San Diego Creek, Upper and Lower Newport Bay, Orange County, California. The final compliance date for the TMDLs is specified in the Basin Plan amendment in the following manner: "compliance with the organochlorine compounds TMDLs is to be achieved as soon as possible but no later than December 31, 2015". This date anticipated approval of the TMDL Basin Plan amendment by the Office of Administrative Law (OAL) in 2008. Due to substantial delay in consideration of approval of the

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TMDL Basin Plan amendment by OAL, it is appropriate to consider revising the final compliance date. To account for uncertainty in the timing of the approval process, it is proposed to set the final compliance date as follows: “as soon as possible but no later than (*seven years from the date of OAL approval of this BPA*)”. The Regional Board will also consider a small number of minor, non-substantive editorial modifications to the original, Regional Board-approved TMDL amendment.

The potential environmental effects of this proposed action were considered in accordance with the California Environmental Quality Act (CEQA). By Resolution No. R8-2007-0024, the Regional Board adopted *CEQA Findings of Fact and Statement of Overriding Considerations* (FF/SOC) for the organochlorine compounds TMDLs, supported by analyses contained in a substitute environmental document (SED). Regional Board staff has determined that no changes to the FF/SOC are required since the environmental effects of extending the compliance date were already considered in these analyses. Copies of the proposed Basin Plan amendment and relevant staff reports may be obtained from the Regional Board website at <http://www.waterboards.ca.gov/santaana>, or upon request to Regional Board staff at (951) 782-4130 no later than May 24, 2011. The documents may also be reviewed at the Regional Board office located at 3737 Main Street, Suite 500, Riverside, California by appointment scheduled between 9:00 a.m. and 3:00 p.m., Monday through Friday, after May 24, 2011. Appointments may be scheduled by calling the office at (951) 782-4130.

Public participation is an important part of this process. Written comments and exhibits concerning the proposed revisions to the Regional Board-adopted TMDL Basin Plan amendment are welcomed. The scope of the comments is limited to the proposed revisions to the final TMDL compliance date and the minor modifications proposed in this action. All written comments and exhibits must be received by the Regional Board no later than 5:00 p.m. on July 8, 2011. Failure to comply with these requirements is grounds for the Regional Board to refuse to admit the proposed written comment or exhibit into evidence (California Code of Regulations, Title 23, Section 649.4). Comments should be submitted to Wanda Cross at the address listed above or by email at wcross@waterboards.ca.gov. The Regional Board will accept oral testimony pertaining only to the proposed revisions at the public hearing. For the sake of the accuracy of the record, please provide written copies of oral comments presented at the hearing to the Regional Board’s Executive Assistant. Note that all exhibits, including charts, graphs, and other testimony presented as evidence must be left with the Regional Board to become part of the administrative record. Written responses to comments received by July 8, 2011 will be prepared.

Comments or questions regarding this matter should be directed to Wanda Cross at (951) 782-4468. Any person who is disabled and requires special accommodation to participate in the Regional Board hearing should contact Felipa Carrillo at (951) 782-3285 no later than July 1, 2011.

/s/

KURT V. BERCHTOLD

Executive Officer

Santa Ana Regional Water Quality Control Board

Date: May 24, 2011