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**To:** [Chiu, Wayne@Waterboards](mailto:Chiu_Wayne@Waterboards)  
**Subject:** Hearing Procedures and Order of Proceedings - Tent Order No. R9-2013-0001 - Regional MS4 Permit  
**Date:** Monday, March 18, 2013 9:29:29 AM  
**Attachments:** [Supp Hearing Procedures and Order of Proceedings Sig.pdf](#)

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This is a message from the California Regional Water Quality Control Board, San Diego Region (9).

The attached notice of Hearing Procedures and Order of Proceedings sets forth additional details on the procedures and order of presentations the San Diego Water Board will follow at the public hearing on April 10 and 11, 2013 to consider adoption of Tentative Order No. R9-2013-0001 – the Regional MS4 Permit.

Respectfully,

David Barker  
San Diego Water Board

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GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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## California Regional Water Quality Control Board, San Diego Region

# HEARING PROCEDURES AND ORDER OF PROCEEDINGS

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**Public Hearing to Consider Adoption of Tentative Order No. R9-2013-0001,  
NPDES No. CAS01092662 and Waste Discharge Requirements for  
Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the  
Watersheds Within the San Diego Region**

**April 10 and 11, 2013  
Beginning at 9:00 a.m. Each Day  
California Regional Water Quality Control Board, San Diego Region  
Regional Water Board Room  
San Diego Water Board Office Building  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340**

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By prior public notice dated March 5, 2013, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) announced its intent to conduct a public hearing on April 10 and 11, 2013, to receive testimony and comments and consider adoption of Tentative Order No. R9-2013-0001, NPDES No. CAS0109266, *National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region* (Tentative Order). This Order of Proceedings sets forth additional details on the procedures and order of presentations the San Diego Water Board will follow at the public hearing.

### SCOPE OF HEARING

The Tentative Order was released for public review and comment on October 31, 2012. The written comment period ended January 11, 2013. All timely written comments received are posted on the San Diego Water Board website, at [http://www.waterboards.ca.gov/rwqcb9/water\\_issues/programs/stormwater/index.shtml](http://www.waterboards.ca.gov/rwqcb9/water_issues/programs/stormwater/index.shtml). No subsequently filed written comments have been accepted into the record at this time. Other than speaker cards and copies of electronic presentations (see below) no new written materials will be accepted into the record at the April 10-11, 2013 hearing. As indicated in prior notices, the scope of oral testimony at the public hearing will be strictly limited to summarizing the previously submitted written comments, commenting on revisions to the Tentative Order made since the written comment period closed, and making policy statements. No new issues may be raised at the hearing.

Hearing Procedures/Order of Proceedings

Tentative Order No. R9-2013-0001

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**HEARING PROCESS**

During the public hearing, San Diego Water Board staff will present an overview of the Tentative Order, written responses to comments received and recommended revisions to the Tentative Order. For this proceeding, San Diego Water Board staff will begin, followed by representatives of the following parties: 1) the San Diego County, Orange County and Riverside County Copermittees; 2) U.S. Environmental Protection Agency; 3) Environmental Non-governmental Organizations (NGOs); and 4) Building Industry Groups.<sup>1</sup> Participants within these groups are encouraged to consolidate their presentations to save hearing time and/or avoid duplication.

After these presentations, the San Diego Water Board will hear from the public (interested persons), subject to times certain (see below). Interested persons with similar concerns or opinions are encouraged to choose one representative to speak, and are encouraged to coordinate their presentations with each other and to summarize their written comments. Interested persons may not cede their unused time to others, but the Chair will entertain requests for extra time from interested persons speaking on behalf of multiple interested persons.

Speakers will be interrupted not earlier than 4:00 p.m. on April 10 so that the San Diego Water Board can hear from interested persons other than representatives of the groups identified by name in this order of proceedings. At 9:15 a.m. on April 11, or as soon thereafter as practicable, elected officials will be invited to speak.

**ORDER OF PROCEEDINGS**

Chair's opening remarks, introductory items, administration of the oath to persons who intend to testify	<b>10 minutes</b>
San Diego Water Board Staff Presentation	<b>1.5 Hours</b>
San Diego County, Orange County and Riverside County Copermittees	<b>3 Hours (Total)</b>
US Environmental Protection Agency	<b>30 Minutes (Total)</b>
Environmental NGOs – (The Escondido Creek Conservancy, Coastkeeper, San Diego Canyonlands, Natural Resources Defense Council, Los Penasquitos Lagoon Foundation, Laguna Bluebelt Coalition, Friends of Rose Canyon Creek, Clean Water Now, Coastal Environmental Rights Foundation, Environmental Health Coalition, San Elijo Lagoon Conservancy, South Laguna Civic Association)	<b>1 Hour (Total)</b>

<sup>1</sup> These participants have been identified based upon prior participation through written comments, stakeholder meetings and public workshops held in November and December 2012.

Building Industry/Industry- (Association of General Contractors, Otay Land Company, Otay Ranch New Homes, American Society of Landscape Architects, BIA Regulated Coalition, BIA of Southern California, Industrial Environmental Association, San Diego Gas & Electric, San Diego Green Building Council, Southern California Gas Company)	<p style="text-align: center;"><b>1 Hour (Total)</b></p>
Interested Persons (Time Certain at 4 p.m. on April 10, 2013)	<p style="text-align: center;"><b>3 Minutes Each</b></p>
Elected Officials' comments (Time Certain at 9:15 a.m. on April 11, 2013)	<p style="text-align: center;"><b>5 Minutes Each</b></p>

This allocated time includes time for any opening statement, main presentation, rebuttal and/or closing argument. San Diego Water Board Members and Counsel may ask questions at any time. Time for questions and answers will not count against the above time limits.

**OBJECTIONS TO PROCEDURES**

Other than as provided in this document, the San Diego Water Board intends to conduct this public hearing in a generally informal manner. Participants requesting alternative procedures, with procedural requests outside of the scope of this notice, or requesting more time to speak, must submit their requests or objections in writing to the San Diego Water Board staff member identified below no later than 5:00 pm on March 22, 2013. The San Diego Water Board will endeavor to accommodate reasonable requests and to respond to procedural objections and requests prior to the hearing. Untimely objections will be deemed waived.

**POWER POINT AND OTHER COMPUTER DISPLAYS**

Participants may use PowerPoint and other computer displays during their presentation to convey information electronically on the San Diego Water Board's computer. These displays will only be accepted if they summarize the information contained in documents that were timely submitted in compliance with deadlines cited above and in prior notices. They will not be accepted if they contain any new testimony or evidence. Please note that any person planning to use an electronic presentation at the hearing is required to provide a sufficient number of printed copies of the presentation for distribution to board members and staff and a reasonable number of copies to be available for the public to access during the hearing. An electronic copy of any presentation used during the hearing must be left with the San Diego Water Board's Executive Assistant for inclusion in the record. Electronic presentations will be posted on the San Diego Water Board's website as soon as practicable.

**DOCUMENT AVAILABILITY**

The Tentative Order, and attachments thereto, timely received comment letters on the Tentative Order, and other information and documents relied upon are posted on the San Diego Water Board website at:  
[http://www.waterboards.ca.gov/rwqcb9/water\\_issues/programs/stormwater/index.shtml](http://www.waterboards.ca.gov/rwqcb9/water_issues/programs/stormwater/index.shtml). A revised Tentative Order reflecting revisions since the written comment deadline and a

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responses to comments document will be available shortly. Parties and interested persons will be notified by e-mail when those documents are posted on the Board's website.

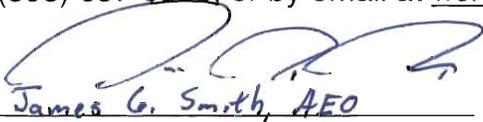
These documents are also available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. at the following address:

California Regional Water Quality Control Board  
 San Diego Region  
 9174 Sky Park Court, Suite 100,  
 San Diego, California 92123-4340

Arrangements for file review and/or obtaining copies of documents in the Administrative Record may be made by contacting the San Diego Water Board at (858) 467-2952. Appointments are encouraged so the documents can be readily available upon arrival. All timely received comment letters on the Tentative Order and responses to comments and other subsequent relevant documents will be available online as they are generated.

**Staff Contact for Further Information**

For questions or comments concerning this notice, please contact Wayne Chiu by phone at (858) 637-5558, or by email at [wchiu@waterboards.ca.gov](mailto:wchiu@waterboards.ca.gov).



for David W. Gibson

March 15, 2013

cc:  
 Distribution via email:  
 (see attached address list)

San Diego County Copermittees  
 Orange County Copermittees  
 Riverside County Copermittees  
 Resource Agencies

Distribution list via email:

San Diego County MS4 Permit Lyris List  
 Riverside County MS4 Permit Lyris List  
 Orange County MS4 Permit Lyris List  
 San Diego Water Board Agenda Lyris List

Tech Staff Info & Use	
Order No.	R9-2013-0001
Party (GT/CIWQS) ID	536787
File No.	n/a
WDID	n/a
NPDES No.	CAS0109266
Reg. Measure ID	387335
Place ID	786088
Person ID	n/a
Inspection ID	n/a

**San Diego County  
Copermittees**

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Tentative Order No. R9-2013-0001

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