
Santa Ana Regional Water Quality Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

ON AN AMENDMENT TO THE TIME SCHEDULE ORDER FOR FECAL COLIFORM IN NEWPORT BAY (DRAFT ORDER R8-2025-0003)

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Santa Ana Region (Santa Ana Water Board), is accepting public comments on draft Order R8-2025-0003 (draft Order). The draft Order is an amendment to Time Schedule Order R8-2019-0050, as amended by Order R8-2023-0063 (previous Time Schedule Order). The previous Time Schedule Order provided more time to comply with the fecal coliform requirements in Order R8-2009-0030, as amended by Order R8-2010-0062, NPDES Permit Number CAS618030 (Orange County MS4 Permit).

If adopted, the draft Order would amend the previous Time Schedule Order to provide permittees with three more years to comply with the fecal coliform effluent limitations in the Orange County MS4 Permit. The draft Order would also add two more tasks to the previous Time Schedule Order. Those tasks are:

- Task 9 - Continuation of Targeted Source Identification and Control
- Task 10 - Reporting on TSO Actions

The draft Order is available on the Santa Ana Water Board's Tentative Orders webpage:

https://waterboards.ca.gov/santaana/public_notices/docs/2025/tso_amendment_r8-2025-0003.pdf

For questions about the draft Order, please contact Gaurav Rajen (Raj) at Raj.Rajen@waterboards.ca.gov or at (951) 321-4584.

PUBLIC HEARING

Once the public comment period ends, the Santa Ana Water Board plans to consider adopting the draft Order following a public hearing at a regularly scheduled Santa Ana Water Board meeting. The meeting will occur at the following date, time, and location:

Date: February 14, 2025
Time: 9:00 a.m.

**Location: Loma Linda City Hall
25541 Barton Rd, Loma Linda, CA 92354**

This meeting will occur with both a physical meeting location and an option to participate from a remote location. For those who do not intend to actively participate, the meeting will be livestreamed via Cal-Span at <https://cal-span.org/>

Instructions for remote participation and other meeting details will be included in the agenda, which will be available at least 10 days before the meeting at:

https://www.waterboards.ca.gov/santaana/board_info/agendas/2024_agendas.html

MAILING LIST

To receive further notices on the draft Order, parties and interested persons should enroll in the project mailing list. If you are already on this mailing list, no further action is needed. To enroll:

1. Go to the following website:
https://public.govdelivery.com/accounts/CAWRCB/subscriber/new?qsp=santa_ana
2. Enter your email address.
3. Under the “Total Maximum Daily Load (TMDL)” tab, select the check box for “Newport Bay Fecal Coliform - TMDL.”
4. Click “Submit.”
5. Enter your first name, last name, and county (optional but recommended).

SUBMISSION OF WRITTEN COMMENTS

The Santa Ana Water Board will accept written comments on the draft Order during a 45-day public comment period that begins on November 15, 2024, and ends on December 29, 2024. Comments must be received no later than 5:00 pm on December 29, 2024.

Written comments and documents less than 20 megabytes may be submitted by email to:

rb8-stormwater.comments@waterboards.ca.gov.

To send a file larger than 20 MB to the staff of Santa Ana Regional Board, please follow the steps below:

1. Email webmaster8@waterboards.ca.gov to request credentials. Provide your name and reason for the request.
2. When you receive the username and password, login to the [Water Boards FTP site](#)
3. Follow the [FTP Instructions](#) to upload the file(s).

4. In order to insure proper routing, send an email to webmaster8@waterboards.ca.gov and provide the file name that you just uploaded and the recipient's name.

Paper submittals are discouraged but may be mailed to the Santa Ana Water Board at the address provided below or sent via facsimile (Attention: Adam Fischer) to (951) 781-6288.

Santa Ana Regional Water Quality Control Board
Attention: Adam Fischer
3737 Main Street, Suite 500
Riverside, CA 92501

Please contact Gaurav Rajen (contact information above) with any questions or comments regarding this notice.

PARTICIPANTS IN THIS PROCEEDING

Participants in this proceeding are either “parties” or “interested persons.” Designation as a party is not necessary to participate in this proceeding. Both interested persons and parties will have the opportunity to present oral comments about the draft Order and may be asked to respond to clarifying questions from the Santa Ana Water Board members, counsel, or staff, or others at the discretion of the Board.

Interested persons include any person or organization that is interested in the outcome of the matter, but who has not been designated as a party. Interested persons may present oral comments at the hearing, but they may not present evidence. Oral comments include policy statements and/or arguments about the appropriateness, wisdom, or utility of the proposed Order. Interested persons are not subject to cross-examination and may not cross-examine witnesses.

Parties are generally expected to take a leadership role in presenting any evidence or argument about the nature of the matter under consideration. Parties to the hearing may present evidence or cross-examine other parties’ witnesses and are subject to cross-examination. All entities named as Permittees in the proposed Order are parties. Any other persons or organizations who wish to participate in the hearing as a party must submit their request for party status to Gaurav Rajen (contact information above). The Santa Ana Water Board must receive the request by 5:00 p.m. on November 28, 2024.

Santa Ana Water Board staff is not a party. This is a proceeding to consider providing additional time to comply with a permit without being subject to administrative enforcement, which does not involve investigative, prosecutorial, or advocacy functions. Staff’s proposals, recommendations, and their participation in this proceeding are for the purpose of advising and assisting the Santa Ana Water Board. Likewise, attorneys for the Santa Ana Water Board will advise and assist the Board, which includes the Board members and its entire staff.

EX PARTE COMMUNICATIONS

All communications to Santa Ana Water Board members are prohibited unless all parties have notice and an opportunity to participate in the communication. The only exception is for procedural matters that are not in controversy. (Ca. Gov. Code, §11430.10 *et seq.*) The exceptions in Water Code section 13287 do not apply to this proceeding. Parties and interested persons should direct all communications to Santa Ana Water Board staff.

LANGUAGE SERVICES

This hearing will be offered in English. To request translation of written documents, interpretation services in another language, or sign language services, please use one of the following options at least ten (10) business days before the meeting:

- Submit a [Language Services Request](#) online
- Call the Office of Public Participation at (916)-341-5254
- Email the Office of Public Participation at:
opp-languageservices@waterboards.ca.gov

ACCESSIBILITY

Users of a Telecommunications Device for the Deaf (TDD) may contact the California Relay Service at (800) 735-2929 or the teletype (TTY) voice line at (800) 735-2922.

Any person who requires reasonable accommodation to participate in the Santa Ana Water Board hearing should contact Jessica Baenre at Jessica.Baenre@Waterboards.ca.gov or (951) 782-3285, no later than January 31, 2025.