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California State Senate

SENATOR
ROSILICIE OCHOA BOGH
NINETEENTH SENATE DISTRICT

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RULES

July 23, 2026

Chair John Scandura and Members
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, California 92501

RE: TENTATIVE ORDER NO. R8-2026-0034 – REGIONAL MS4 PERMIT RENEWAL

Dear Chair Scandura and Members of the Regional Board,

I am writing regarding Tentative Order No. R8-2026-0034, the proposed Regional Municipal Separate Storm Sewer System (MS4) Permit that would govern stormwater management requirements across San Bernardino, Riverside, and Orange Counties.

My district encompasses communities that will be directly affected by the proposed permit's requirements, including local governments responsible for delivering public infrastructure, supporting housing production, maintaining transportation networks, protecting public safety and providing essential public services.

Given the permit's far-reaching implications for the region, I have a significant interest in ensuring that the final permit is informed by sound science, meaningful stakeholder engagement, and a full understanding of its economic and community impacts. State and federal law uniquely give this Board incredible latitude to consider and balance these competing goals for MS4 permits because of the significant ramifications of MS4 Programs on broader state and federal policy goals.

I strongly support the protection and improvement of water quality throughout the Santa Ana Watershed, and recognize the important role counties, cities, flood control districts, water agencies, and other local partners play in safeguarding water resources and acknowledge the substantial investments and progress local agencies have made under existing permit requirements.

At the same time, I am concerned that the Tentative Order released on May 5, 2026, as currently drafted, still imposes significant costs and implementation challenges on local governments and the communities they serve. The Tentative Order would apply to approximately 60 local agencies and establish a regulatory framework with substantial implications for housing affordability, public infrastructure delivery, economic development, and local government operations throughout Southern California.
The Inland Empire continues to face significant housing, infrastructure, and economic challenges. Many

communities within our region are working to expand housing opportunities, modernize aging infrastructure, and improve quality of life. Regulatory requirements that substantially increase local government costs ultimately affect residents through higher housing costs, delayed infrastructure projects, increased development expenses, and the diversion of limited public resources away from essential community services.

Accordingly, I respectfully urge the Regional Board to direct staff to continue working collaboratively with counties, cities, flood control districts, and other stakeholders to refine the Tentative Order and address outstanding technical, economic, and implementation concerns before final adoption. I respectfully ask you to consider the following requests:

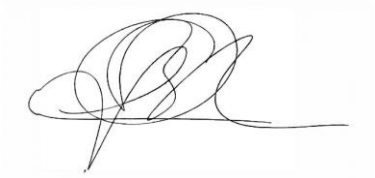
1) **Remove hydromodification requirements for small development projects (1 acre and under)**. I am concerned that hydromodification requirements may unduly increase infill housing costs and unduly constrain California's broad goals to accelerate housing production.

2) **Exempt flood control infrastructure projects from land development requirements.** It is important to consider California's broader flood risk climate resiliency goals, as noted in the 2025 Assembly Select Committee Report on Permit Reform and consistent with the Los Angeles Regional MS4 Permit.

3) **Ensure the Watershed Management Plan provisions include viable pathways to compliance, particularly for bacteria.** I understand that the San Francisco Bay Regional MS4 Permit includes BMP based pathways that would better balance beneficial uses and competing environmental objectives of the Santa Ana River watershed.

I believe a successful permit is one that advances water quality goals while remaining practical, fair, and achievable for the communities responsible for implementation. I am committed to supporting policies that protect California's natural resources while promoting housing affordability, economic opportunity, infrastructure investment, and resilient local communities. I appreciate your consideration of these concerns and look forward to continued collaboration as this process moves forward.

Sincerely,



ROSILICIE OCHOA BOGH
Senator, District 19