

State Water Resources Control Board

**NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT
AND
NOTICE OF PUBLIC HEARING**

**AMENDMENTS TO WATER QUALITY ORDER 2011-0003-DWQ
STATEWIDE GENERAL AQUATIC ANIMAL INVASIVE SPECIES CONTROL PERMIT**

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will hold a public hearing to consider adoption of amendments to Water Quality Order 2011-0003-DWQ, Statewide National Pollutant Discharge Elimination System Permit for Residual Aquatic Pesticide Discharges to Waters of the United States from Aquatic Animal Invasive Species Control Applications (Aquatic Animal Invasive Species Control Permit) on:

Tuesday, October 21, 2014 – 9:00 a.m.
Joe Serna Jr. - Cal/EPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

BACKGROUND

The State Water Board adopted the Aquatic Animal Invasive Species Control Permit on March 1, 2011. On November 6, 2013, the Department of Pesticide Regulation registered *Pseudomonas fluorescens* strain CL145A cells and spent fermentation media (Pf CL145A-S) as an active ingredient for the control of aquatic invasive mollusks. Currently, all registered pesticides with Pf CL145A-S as the active ingredient contain the dead form of the bacterium. This item proposes to amend the existing Aquatic Animal Invasive Species Control Permit to include the use of Pf CL145A-S as an active ingredient to be regulated by the permit.

There is currently no existing state or federally established water quality objective or criterion for Pf CL145A-S. To protect all designated beneficial uses of receiving waters from the pesticide application of Pf CL145A-S as an active ingredient, the amendment proposes to implement approximately one-tenth of the lowest 50 percent lethal concentration (LC50) on record from non-target species toxicity testing, which is 59.09 milligrams of the active ingredient per liter (mg AI/L), as a receiving water limitation. Based on this approach, the amendment proposes the addition of a receiving water limitation for Pf CL145A-S of 6 mg AI/L.

DOCUMENT AVAILABILITY

The proposed amendments and related documents are available to view or download on the State Water Board's Web site at:

http://www.waterboards.ca.gov/water_issues/programs/npdes/pesticides/animal_invasive.shtml.

You may request a paper copy by contacting Mr. Russell Norman at (916) 323-5598 or russell.norman@waterboards.ca.gov.

SUBMISSION OF WRITTEN PUBLIC COMMENTS

The State Water Board will accept written public comments on the proposed amendments to the Aquatic Animal Invasive Species Control Permit. The proposed amendments are shown in red text. Text in strikethrough indicates language proposed to be deleted and text in underline indicates language proposed to be added. Written comments must be received by **12:00 noon on October 13, 2014** and addressed to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Comment letters may be submitted electronically, in PDF text format (if less than 15 megabytes in total size), to the Clerk to the Board via email at commentletters@waterboards.ca.gov. If the file is greater than 15 megabytes in total size, the comment letter may be submitted by fax at (916) 341-5620. Please indicate the subject line: **“Comment Letter – Draft Aquatic Animal Invasive Species Control Permit Amendments.”**

Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Ms. Townsend at (916) 341-5600.

PROCEDURAL MATTERS

At the meeting, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient meeting in which all participants have an opportunity to participate, oral presentations may be time-limited.

For other presentation recommendations, go to:

http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml at the State Water Board's Web site.

EX PARTE DISCLOSURE REQUIREMENTS FOR PENDING GENERAL ORDERS

This item is subject to the ex parte communication disclosure requirements of Water Code section 13287, as explained in http://www.waterboards.ca.gov/laws_regulations/docs/exparte.pdf. Any communications between interested persons and board members (other than at a noticed board meeting or submitted as a comment letter in compliance with the public notice) must be disclosed by the interested person within seven days of the communication. Sample disclosure forms are available at: http://www.waterboards.ca.gov/laws_regulations/docs/swrcb_godf_fillin.pdf.

Beginning **October 7, 2014**, ex parte communications between interested persons and board members concerning this item are prohibited.

PARKING AND ACCESSIBILITY

For directions to the Joe Serna, Jr. (Cal/EPA) Building and public parking information, please refer to the map on the State Water Board Web site: <http://www.calepa.ca.gov/EPAbldg/location.htm>. The Cal/EPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922. An audio broadcast of the meeting will be available via the internet and can be accessed at: <http://www.calepa.ca.gov/broadcast/>.


All visitors to the Cal/EPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

ADDITIONAL INFORMATION

Please direct questions about this notice to Mr. Russell Norman at (916) 323-5598 or russell.norman@waterboards.ca.gov.

September 12, 2014

Date



Jeanine Townsend
Clerk to the Board