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## State Water Resources Control Board

# NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND NOTICE OF PUBLIC WORKSHOP

## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (DEPARTMENT) MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT REVISED DRAFT TENTATIVE ORDER

**NOTICE IS HEREBY GIVEN THAT** the State Water Resources Control Board (State Water Board) will receive written comments on revisions to the draft Municipal Separate Storm Sewer System (MS4) NPDES Permit (Revised Draft Tentative Order) for the California Department of Transportation (Department).

**NOTICE IS ADDITIONALLY HEREBY GIVEN THAT** the State Water Board will hold a public workshop on the Revised Draft Tentative Order. A quorum of the State Water Board may be present; however, no Board action will be taken. The time and location of the public workshop are:

**Wednesday, September 21, 2011 – 9:00 a.m.**  
**Joe Serna Jr. /Cal-EPA Headquarters Building**  
**Coastal Hearing Room**  
**1001 I Street, Second Floor**  
**Sacramento, CA 95814**

### BACKGROUND

Discharges of storm water and non-storm water occur throughout the state from the Department's MS4. Before July 1999, these discharges were regulated by individual NPDES permits issued by the California Regional Water Quality Control Boards. On July 15, 1999, the State Water Board issued a statewide permit ([Order No. 99-06-DWQ](#)) which regulated all storm water and certain non-storm water discharges from the Department's MS4. This included all State highways, rights-of-way, facilities, and construction activities. The existing permit (Order No. 99-06-DWQ) will be superseded by a new permit when the Tentative Order is adopted by the State Water Board and approved by the United States Environmental Protection Agency.

The draft Tentative Order differs significantly from Order No. 99-06 in several respects, including:

- Transitioning from a characterization based monitoring and reporting program to a compliance based program.
- Incorporation of Total Maximum Daily Loads and implementation requirements directly into the permit.

- Removal of construction activities from regulation under the permit (now regulated directly under the Construction General Permit).
- A significantly expanded section on Region-specific requirements.
- New requirements for hydromodification, Low Impact Development, and post-construction treatment controls.

A public notice was circulated on January 7, 2011, advising that the draft Tentative Order was available for public review and comment. Written comments on the draft Tentative Order were due by 12 Noon on March 14, 2011. A public hearing on the draft Tentative Order was held on July 19, 2011.

## **SUBMISSION OF WRITTEN COMMENTS**

**Written comments should be limited to the revisions made to the draft Tentative Order that was circulated on January 7, 2011, as proposed in the Revised Draft Tentative Order.** Please send comment letters to Jeanine Townsend, Clerk to the Board, by e-mail: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) (15 megabytes, or less, in size); fax: (916) 341-5620; or U.S. mail, addressed to:

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

Comments may also be hand delivered. Couriers delivering comment letters must check in with lobby security personnel on the first floor of the Cal-EPA Building at the above address. Questions on comment submittal may be directed to Ms. Townsend at (916) 341-5600.

To ensure proper routing, all comments must indicate in the subject line:

**“Comment Letter – Caltrans MS4 Permit”**

To ensure timely consideration of all comments, comment letters must be received by **12:00 noon, Monday September 19, 2011.**

## **NATURE AND PURPOSE OF WORKSHOP**

State Water Board staff will provide a brief overview of the Revised Draft Tentative Order and will answer any questions the Board may have. Interested parties will have an opportunity to provide oral comments to the Board and are encouraged to summarize their written comments. The Board may impose time limits on oral comments. **Comments at the workshop will be limited to the revisions made to the draft Tentative Order that was circulated on January 7, 2011, as proposed in the Revised Draft Tentative Order.**

## **DOCUMENT AVAILABILITY**

The Revised Draft Tentative Order, supporting documents, and written comments received are posted on the State Water Board's website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/caltrans\\_permits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans_permits.shtml)

When available, any further revisions to the Revised Draft Tentative Order and a response to comments received will be posted at the same web address. A notice of the availability of these documents will be sent through the Lyris list. Responses to comments will be made available prior to the Board adoption hearing on the Tentative Order.

A hard copy of the relevant documents may also be received by contacting Jaime Favila at [jfavila@waterboards.ca.gov](mailto:jfavila@waterboards.ca.gov) or (916) 341-5482.

Questions may be directed to: Walt Shannon, Chief of the Municipal Storm Water Unit at: (916) 341-5497 ([wshannon@waterboards.ca.gov](mailto:wshannon@waterboards.ca.gov)), or Emel Wadhvani, Staff Counsel, at: (916) 322-3622 ([ewadhvani@waterboards.ca.gov](mailto:ewadhvani@waterboards.ca.gov)).

#### **FUTURE STATE WATER BOARD ADOPTION MEETING**

Staff intends to submit the final Tentative Order for State Water Board adoption in October 2011. Notices providing the specific date for the State Water Board meeting will be posted on the State Water Board's website and will be distributed through the Lyris e-mail list serve. Any person desiring to receive notice of the meeting must sign up for the Lyris e-mail list. To sign up for the Lyris list, access the E-mail List Subscription form, check the box for Storm Water Municipal Permitting Issues, and fill in the required information. The subscription form is at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml)

#### **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's Web site at:

<http://www.calepa.ca.gov/EPAbldg/location.htm>.

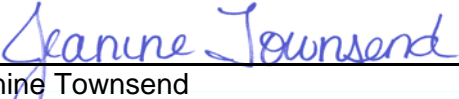
The Cal/EPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least five working days prior to the meeting. TDD users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

A 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 inside the main entrance. Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

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August 18, 2011  
Date

  
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Jeanine Townsend  
Clerk to the Board