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State Water Resources Control Board

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

**REISSUANCE OF STATEWIDE GENERAL  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR  
BIOLOGICAL AND RESIDUAL PESTICIDE DISCHARGES TO WATERS OF THE UNITED  
STATES FROM SPRAY APPLICATIONS  
(SPRAY APPLICATIONS PERMIT)**

**NOTICE IS HEREBY GIVEN THAT** the State Water Resources Control Board (State Water Board) will hold a public hearing to consider adoption of the proposed Spray Applications Permit. The proposed permit will update [Water Quality Order 2011-0004-DWQ](#). The public hearing to consider adoption of the proposed permit will be on:

**Tuesday, March 1, 2016 – 9:00 a.m.**  
CalEPA Headquarters Building  
Coastal Hearing Room  
1001 I Street, Second Floor  
Sacramento, CA 95814

**BACKGROUND**

In March 2011, the State Water Board adopted the Spray Applications Permit, which covers the point source discharge of biological pesticides and residual chemical pesticides resulting from spray applications. The permit will expire in February 2016. The proposed permit serves as a reissuance of the permit for a new five-year term. The proposed reissuance will: (1) change the permit from a general permit to an individual permit and name the California Department of Food and Agriculture as the permit holder; (2) remove toxicity testing requirements from the permit; and (3) regulate active ingredients rather than specific pesticide products.

When the California Department of Pesticide Regulation registers a new active ingredient for spray applications, the permit must be amended to add the new active ingredient and its corresponding receiving water limitations before the California Department of Food and Agriculture may begin using the active ingredient. Furthermore, when the California Department of Pesticide Regulation registers a new active ingredient for spray applications, the permit may also be amended to allow the California Department of Food and Agriculture a regulatory exception from complying with receiving water limitations for the pollutant in accordance with the State Water Board Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, and/or the California Ocean Plan. Amending the permit on a case-by-case basis is resource intensive for the State Water Board. The proposed reissuance adds language to the permit that delegates the State Water Board's authority for the actions described above to the Executive Director or his/her designee.

### **DOCUMENT AVAILABILITY**

The proposed amendment and related documents are available to view or download on the State Water Board's website at: [http://www.waterboards.ca.gov/water\\_issues/programs/npdes/pesticides/spray\\_application.shtml](http://www.waterboards.ca.gov/water_issues/programs/npdes/pesticides/spray_application.shtml). You may request a paper copy by contacting Ms. Ariana Villanueva at (916) 341-5775 or [Ariana.Villanueva@waterboards.ca.gov](mailto:Ariana.Villanueva@waterboards.ca.gov).

### **SUBMISSION OF WRITTEN COMMENTS**

The State Water Board will accept written comments on the proposed permit. Written comments must be received by **12:00 noon on Friday, January 29, 2016** 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](mailto: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 –Spray Applications Permit Reissuance."**

Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Ms. Jeanine 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](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml) at the State Water Board's website. Questions concerning the meeting may also be directed to Ms. Ariana Villanueva at (916) 341-5775.

### **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](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](http://www.waterboards.ca.gov/laws_regulations/docs/swrcb_godf_fillin.pdf).

Beginning **Tuesday, February 16, 2016**, ex parte communications between interested persons and board members concerning this item are prohibited.

**PARKING AND ACCESSIBILITY**

For directions to the Joe Serna, Jr (CalEPA) Building and public parking information, please refer to the map on the State Water Board's website at: <http://www.calepa.ca.gov/EPAbldg/location.htm>.

The CalEPA 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 (800) 735-2929 or voice line at (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 CalEPA 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.

**ADDITIONAL INFORMATION**

Please direct questions about this notice to Ms. Ariana Villanueva at (916) 341-5775 or [Ariana.Villanueva@waterboards.ca.gov](mailto:Ariana.Villanueva@waterboards.ca.gov).

December 23, 2015  
Date

  
Jeanine Townsend  
Clerk to the Board