

Phase II Small Municipal Separate Storm Sewer System General Permit Re-issuance

Process

The statewide Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit currently covers over 250 entities in California. The first 5-year term of the General Permit was adopted by the State Water Board in 2003 and expired on May 1, 2008. Pursuant to the General Permit, §H.21, *Continuation of Expired Permit*, the General Permit continues in force and in effect until a new General Permit is issued or the State Water Board rescinds the General Permit.

State Water Board staff is in the process of drafting the second term permit. Staff intends to develop the permit through a collaborative process involving key stakeholders. The re-issuance of the Phase II Small MS4 General Permit is proceeding in the following stages:

Stage I - Scoping

a. Stakeholder Analysis (August 2007 - December 2007)

State Water Board staff held stakeholder interviews with Regional Water Board staff, the Chair of the CASQA Phase II Subcommittee, and non-governmental organizations (NGOs). The purpose of these interviews was to identify and engage interested stakeholders in the re-issuance process.

The stakeholder analysis process has the following four goals:

- identify stakeholder's interests in the re-issuance process
- identify areas of potential conflict between stakeholders
- identify relationships between stakeholders which can be built upon to form 'coalitions of support'
- assess appropriate types of participation by different stakeholders

b. [Kick-Off Meeting \(December 10, 2007\)](#)

The Kick-off Meeting introduced key staff members representing the State Water Board, Regional Water Boards, CASQA Phase II Subcommittee members, and Consultants involved in the General Permit re-issuance process.

c. Developed the following for the permit re-issuance process

1. [Mission Statement](#)
2. [Meeting Guidelines and Ground Rules](#)
3. [Six Levels of Agreement](#)

Stage II – Permit Development

a. Developed a “Collaborative Process Plan” (January 2008)

1. Stakeholders will submit draft language to State Board staff;
2. State Board staff will synthesize information and determine areas of agreement and disagreement;
3. Form workgroups around issues in the permit subject to disagreement. The workgroups consist of Water Board staff, CASQA Phase II Issue teams, and participants of NGOs.
4. Embark on a collaborative Stakeholder process to work through areas of disagreement with workgroups.
5. State Water Board staff develop and issue a preliminary draft permit for public review;
6. During this public review process, State Water Board staff will hold workshops on the permit;
7. Adopt and issue a Tentative Order.

b. Six workgroups have been formed around the following permit issues. Workgroups consist of Water Board staff, CASQA Phase II issue teams, and participants from non-governmental organizations:

- Commercial/Industrial
- Monitoring
- New Development/Hydromodification
- Non-Traditional MS4s
- Program Effectiveness Assessment
- Program Administration

These six workgroups are tasked with meeting/discussing issues under agreed upon Mission Statement, Ground Rules, Meeting Guidelines and Six Levels of Agreement.

c. After the work groups have completed their discussions of the issues, they will make recommendations to staff drafting the permit. Staff will incorporate these comments as appropriate and produce a proposed draft permit."

Presentations

| [CASQA General Meeting, September 2007, Christine Sotelo](#)

| [State Water Board and Water Education Foundation, Water Education Workshop for Board Members, April 2008, Christine Sotelo](#)

Questions on the Phase II permit development process can be directed to Christine Sotelo at 916.322.1400 or via e-mail at csotelo@waterboards.ca.gov

