
State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENTS

PROPOSED AMENDMENT TO STATEWIDE GENERAL PERMIT FOR RESIDUAL AQUATIC PESTICIDE DISCHARGES TO WATERS OF THE UNITED STATES FROM ALGAE AND AQUATIC WEED CONTROL APPLICATIONS

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will receive written public comments on the proposed amendment to the Statewide National Pollutant Discharge Elimination System (NPDES) Permit for Residual Aquatic Pesticide Discharges to Waters of the United States from Algae and Aquatic Weed Control Applications (Aquatic Weed Control Permit)¹.

BACKGROUND

The State Water Board adopted the Aquatic Weed Control Permit on March 5, 2013. In section III.B of the Permit, the State Water Board delegates authority to the Executive Director to:

- 1) Amend the Permit to add new active ingredients currently registered by California Department of Pesticide Regulation for the control of aquatic weeds; and,
- 2) Grant a regulatory exception to dischargers from complying with California Toxics Rule constituents for pesticide active ingredients that are priority pollutants, in accordance with section 5.3 of the State Water Board Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (Policy).

Section 5.3 of the Policy allows for short-term or seasonal exceptions from its requirements for resource or pest management conducted by public entities or mutual water companies. To qualify for an exception from complying with priority pollutant standards, a public entity must fulfill the requirements listed in section 5.3 of the Policy for State Water Board consideration to grant the exception. Among other requirements, entities seeking an exception to complying with water quality criteria for priority pollutants must submit documents in compliance with the California Environmental Quality Act (CEQA).

¹ Water Quality Order 2013-0002-DWQ (as amended by Water Quality Orders 2014-0078-DWQ, 2015-0029-DWQ, 2016-0073-EXEC, and 2017-0015-EXEC); General permit No. CAG990005.

The State Water Board is proposing to amend the Aquatic Weed Control Permit to add the Chowchilla Water District to the existing list of dischargers in Attachment G of the Permit that are excepted from complying with specified California Toxics Rule criteria in accordance with section 5.3 of the Policy. The proposed exception for the Chowchilla Water District is for an exception to comply with California Toxics Rule criteria for acrolein and copper. The District has satisfactorily completed the required CEQA process to qualify for a California Toxics Rule exception for copper and acrolein.

DOCUMENT AVAILABILITY

The documents for the proposed Permit amendment and corresponding information are available on the [State Water Board Aquatic Weed Control Pesticide NPDES Program page](https://www.waterboards.ca.gov/water_issues/programs/npdes/pesticides/weed_control_page) at: https://www.waterboards.ca.gov/water_issues/programs/npdes/pesticides/weed_control.html).

SUBMISSION OF COMMENTS

The State Water Board will accept written comments regarding this item, including any request for a hearing. Written comment letters and hearing requests must be received no later than **12:00 p.m. (noon) on Monday September 28, 2020**. Written comments must be addressed to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000 (mail)
1001 I Street, 24th Floor, Sacramento, CA 95814 (hand-delivery)

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 e-mail at: commentletters@waterboards.ca.gov. If the file is greater than 15 megabytes in total size, then the comment letter may be submitted by fax at (916) 341-5620. Please indicate in the subject line: **“Comment Letter – Aquatic Weed Control Permit Proposed Amendment.”**

Couriers delivering hard copies of comment letters must check in with lobby security personnel and request to contact Jeanine Townsend at (916) 341-5600.

The State Water Board will not accept any additional written comments after the public comment deadline.

FUTURE NOTICES

Any person desiring to receive future notices concerning the proposed General Permit, including any changes to this public notice, must sign up for the Lyris e-mail list as follows: (1) access the email List Subscription Form at the web address listed below, (2) click the “Water Quality” tab, (3) check the box for “Pesticide Aquatic Weed,” (4) fill in the required information, and (5) click “Subscribe.” The subscription form is located on the [State Water Board email subscription page](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml) (www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml).

ADDITIONAL INFORMATION

Please direct questions about this notice or requests for a paper copy of the proposed Permit Amendment to Gurgagn Chand at Gurgagn.Chand@waterboards.ca.gov.

August 25, 2020
Date



Jeanine Townsend
Clerk to the Board