



Fact Sheet

California Department of Transportation (Caltrans) Statewide Storm Water Permit

The State Water Board renewed this Permit on September 19, 2012. It became effective July 1, 2013.

Significant Benefits of the New Permit Include:

- Less pollution entering Areas of Special Biological Significance.
- Less pollution entering existing polluted water bodies.
- Corrective actions for areas with known water quality problems.
- Consistent design standards that are protective of water quality yet reflect the uniqueness of roadway projects.

History of Storm Water Regulation

For nearly two decades, the State Water Resources Control Board (State Water Board) has regulated storm water runoff from industrial and municipal sources in California. The State Water Board bases permits on the National Pollutant Discharge Elimination System (NPDES) storm water regulations adopted by the US Environmental Protection Agency (USEPA). Both the USEPA and the Water Boards have determined that storm water and urban runoff are significant sources of pollution that can impair beneficial uses and threaten aquatic life and public health.

Caltrans Municipal Separate Storm Sewer System (MS4) Permit Renewal

An MS4 is defined in federal regulations as a conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains. The Caltrans MS4 Permit, adopted by the State Water Board on September 19, 2012, is a statewide NPDES MS4 permit that regulates the discharge of storm water associated with the operation and management of the State's highway system. The previous permit expired in 2004, and (though its provisions remained in effect until the new permit became effective). NPDES permits are adopted through a public process in which interested parties can review draft permit documents, submit written comments, and provide oral testimony to the State Water Board on any aspect of the permit. Several public workshops and hearings, and numerous stakeholder meetings were held prior to the adoption of the final permit. The final permit became effective July 1, 2013.

Background of the Caltrans MS4 Permit

Caltrans manages more than 50,000 lane miles of State highway, and numerous related facilities. Storm water runs off of the rights-of-way and is discharged to receiving waters. Section 402(p) of the Clean Water Act provides that storm water discharges are point source discharges, and establishes a framework for regulating municipal and industrial storm water discharges under the NPDES program. Permit requirements under 40 CFR Part 122 apply to all large and medium MS4s, including roads. Thus, the State highway system is considered an MS4 and is subject to the regulations.



Goals and Focus of the Caltrans MS4 Permit

There have been numerous advances in the science and art of storm water management since the Caltrans MS4 permit was first adopted. The 2012 permit incorporates many of these advances, and focuses limited resources on the highest priority water quality needs and in a manner producing the greatest water quality benefit. Some of these include:

- Improving the quality of storm water discharges to Areas of Special Biological Significance (ASBS). ASBS are those areas designated by the State Water Board as ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable.
- Improving the quality of storm water discharges to water bodies identified as polluted or impaired.
- Maximizing opportunities for incorporation of Green Infrastructure, including Low Impact Development features, into new projects that promote storm water reuse.
- Promoting opportunities to incorporate Integrated Pest Management and Integrated Vegetation Management into the Caltrans vegetation management program.

Summary of Significant Provisions of the Caltrans MS4 Permit

- **Areas of Special Biological Significance (ASBS)** – The new permit incorporates the Special Protections for discharges of storm water to ASBS that were adopted March 20, 2012, by the State Water Board. Incorporation into the MS4 permit provides an implementation and enforcement mechanism to ensure that natural water quality in the ASBS will be maintained.
- **Total Maximum Daily Load Implementation (TMDLs)** – TMDLs set a limit for the amount and types of pollution allowed to enter receiving waters. The Clean Water Act requires that NPDES permit requirements be consistent with the waste load allocations of existing TMDLs, along with other implementation requirements specified in the TMDLs. Caltrans is subject to over 90 TMDLs. The new permit provides for the incorporation of the implementation requirements for those TMDLs into the permit within one year of permit adoption.
- **Construction Activities** – Caltrans is required to meet the same requirements as any other construction site in the state, i.e., Caltrans must file for coverage of each of its construction projects under the State Water Board's Construction General Permit (CGP). The CGP regulates storm water runoff from construction sites.
- **Water Quality Monitoring and Reporting** – The new permit implements a compliance driven monitoring program that begins with effluent and receiving water monitoring focused on discharges to ASBS and waters where Caltrans is subject to a TMDL. Corrective actions are required as provided in the California Ocean Plan and in the approved TMDLs. Retrofit of sites where existing monitoring data show exceedances of water quality standards is also required.
- **Green Infrastructure** – The new permit adds requirements and new design standards for post-construction treatment controls, sustainability, hydromodification, and Low Impact Development. These green infrastructure requirements are applicable to new projects and significant redevelopment projects in an effort to maximize the beneficial uses of storm water through recovery and recharging of regional groundwater.
- **Program Effectiveness Assessments** – A program effectiveness review is required to ensure that efforts to control pollutants and debris entering storm water are effective.



Fact Sheet

For more information on this program, please visit:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml

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