

## State Water Resources Control Board

JAN 02 2014

Ms. Nancy Jacques  
Sherwood Valley Homeowner Association  
2300 Norfield Court  
Thousand Oaks, CA 91361

### NOTICE OF APPLICABILITY; SHERWOOD VALLEY HOMEOWNERS ASSOCIATION; STATEWIDE GENERAL PERMIT FOR RESIDUAL AQUATIC PESTICIDE DISCHARGES TO WATERS OF THE UNITED STATES FROM ALGAE AND AQUATIC WEED CONTROL APPLICATIONS

Dear Ms. Jacques:

Thank you for your application package for coverage under the Statewide General 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), adopted by the State Water Resources Control Board (State Water Board) in June 2013. Effective December 1, 2013, the Aquatic Weed Control Permit regulates discharges to waters of the United States of residues resulting from pesticide applications using 2,4-D, acrolein, copper, diquat, endothall, fluridone, glyphosate, imazamox, imazapyr, penoxsulam, sodium carbonate peroxyhydrate, and triclopyr-based algacides and aquatic herbicides, and adjuvants containing ingredients represented by the surrogate nonylphenol. The Aquatic Weed Control Permit regulates discharges of algacides and aquatic herbicides that are currently registered for use in California and contain the above-listed active ingredients and ingredients represented by the surrogate of nonylphenol. Users of products containing these ingredients are required to obtain coverage under the Aquatic Weed Control Permit prior to application to waters of the United States.

#### **Notice of Applicability (NOA)**

Based on the information submitted in the application package, including the Notice of Intent (NOI) and the Aquatic Pesticide Application Plan (APAP) dated August 28, 2013, the discharge as described below satisfies the conditions of the Aquatic Weed Control Permit. This NOA implements your regulatory coverage under the permit and is effective as of the date of this letter. Staff has deemed your application package complete and has assigned you an enrollee number of 4A567900001.

#### **Discharge Description**

The Sherwood Valley Homeowners Association (SVHOA) manages Lake Sherwood, located in the Santa Monica Mountains within the Malibu Creek Watershed of southern California in the County of Ventura. The history of Lake Sherwood dates back to 1904 when a dam was created on the east side. More recently, several gated communities have been established within the 1,900-acre master community that includes two golf courses. Lake Sherwood discharges to the

Potrero Valley Creek during winter months. In addition to acting as a drainage impoundment, Lake Sherwood is used for recreational activities that include swimming, boating, and fishing. Lake Sherwood is not used as a source of irrigation, potable water, or livestock drinking water.

To control emergent aquatic vegetation and algae in Lake Sherwood, SVHOA proposes to discharge the aquatic pesticide active ingredients copper, diquat, endothall, fluridone, and glyphosate. SVHOA does not use surfactants or adjuvants when applying the above noted pesticide active ingredients.

### **General Permit Requirements**

To comply with the Aquatic Weed Control Permit, SVHOA shall:

- a. Provide a copy of the NOI, APAP, and all other related materials to the aquatic pesticide applicators.
- b. Ensure that all entities receiving regulatory coverage under this NOA understand the terms and conditions of the permit.
- c. Take all necessary steps to minimize or prevent pesticide spills, pesticide residue contaminated water, and other pollutants from entering waters of the United States, which may violate the permit.
- d. Review and update the effectiveness and adequacy of the control measures and Best Management Practices (BMPs). Documentation of all change to the BMPs, APAP, or other information on file with our office shall be submitted to the State Water Board for review and comment.
- e. Submit all information required under this NOA to the following address:

State Water Resources Control Board  
Division of Water Quality  
Attention: Russell Norman  
1001 I Street, 15th Floor  
Sacramento, CA 95814

### **Discharge Monitoring and Reporting Requirements**

To comply with the monitoring and reporting requirements of the Aquatic Weed Control Permit, SVHOA shall:

- a. Timely inspect the receiving waters, control measures, and BMPs to detect any conditions which may cause violations of the receiving water limitations and other requirements in the Aquatic Weed Control Permit.
- b. Conduct monitoring and reporting in compliance with the provisions and requirements in Attachment C of the Aquatic Weed Control Permit.

c. Include the following certification in all monitoring reports:

"I certify under penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

If you have any questions regarding this NOA or the Aquatic Weed Control Permit, please contact Mr. Russell Norman in the NPDES Wastewater Unit of the Division of Water Quality at (916) 323-5598 or [russell.norman@waterboards.ca.gov](mailto:russell.norman@waterboards.ca.gov).

Sincerely,



Victoria A. Whitney, Deputy Director  
Division of Water Quality

cc: Pascal Mues  
NPDES Permits Office  
U.S. EPA Region 9, WTR-5  
75 Hawthorne Street  
San Francisco, CA 94105

Charles Andrews, Associate Director  
California Department of Pesticide Regulation  
1001 I Street, 4<sup>th</sup> Floor  
Sacramento, CA 95814

Samuel Unger, Executive Officer  
Los Angeles Regional Water Quality Control Board  
320 W. 4th Street, Suite 200  
Los Angeles, CA 90013

Gensen Kai, Water Resource Control Engineer  
Los Angeles Regional Water Quality Control Board  
320 W. 4th Street, Suite 200  
Los Angeles, CA 90013

