

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND NOTICE OF PUBLIC COMMENT WORKSHOPS, PUBLIC HEARING, AND FILING¹

PROPOSED AMENDMENTS TO THE CALIFORNIA OCEAN PLAN AND INLAND SURFACE WATERS, ENCLOSED BAYS, AND ESTUARIES OF CALIFORNIA PLAN TO INCLUDE STATEWIDE WETLAND DEFINITION AND PROCEDURES FOR DISCHARGES OF DREDGED OR FILL MATERIALS TO WATERS OF THE STATE (FORMERLY KNOWN AS THE WETLANDS POLICY)

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will receive public comments on the Proposed Amendments to both the Water Quality Control Plan for Ocean Waters of California (Ocean Plan), and the forthcoming Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan) to include the Statewide Wetland Definition and Procedures for Discharges of Dredged or Fill Materials to Waters of the State (proposed Amendments), and the Draft Staff Report including the Draft Substitute Environmental Documentation (Draft Staff Report). This comment period is for revisions of the proposed Amendments based on the public comments received during the first public comment period held June 17 – August 18, 2016. In addition, responses to comments have been provided with the revised proposed Amendments and revised Draft Staff Report.

The State Water Board staff will hold two public staff workshops to provide information and answer questions from the public on the proposed Amendments and Draft Staff Report. A quorum of State Water Board members may be present; however, no Board action will be taken.

August 4, 2017 – 10:00 a.m.-12:00 p.m.

Joe Serna Jr.-CalEPA Headquarters Bldg.
Sierra Hearing Room
1001 I Street
Sacramento, CA 95814

August 10, 2017 - 10:00 a.m.-12:00 p.m.

San Diego Regional Water Quality Control Board
Board Meeting Room
2375 Northside Drive, Suite 100
San Diego, CA 92108

The State Water Board will hold a public hearing to receive public input and comments on the proposed Amendments and the Draft Staff Report.

Wednesday, September 6, 2017 9:30 a.m.

Joe Serna Jr. - CalEPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

¹ Notice of Filing submitted under California Code of Regulations, title 23, section 3779.

BACKGROUND

The State Water Board is considering an amendment to the Ocean Plan and the forthcoming ISWEBE Plan to adopt a Statewide Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (proposed Amendments). The proposed Amendments consist of the following components: (1) a wetland definition; (2) a framework for determining if a feature that meets the wetland definition is a water of the state; (3) wetland delineation procedures; and (4) procedures for application submittal, and the review and approval of Water Quality Certifications, Waste Discharge Requirements, and waivers of Waste Discharge Requirements for dredged or fill activities (henceforth collectively referred to as Orders) for dredged and fill activities. The proposed Amendments would not apply to suction dredge mining activities for mineral recovery.

The State Water Board developed the proposed Amendments to address several important issues. First, there is a need to strengthen protections for waters of the state that are no longer protected under the Clean Water Act (CWA) due to past U.S. Supreme Court decisions. Second, there is inconsistency across the Water Boards in regulating discharges of dredged or fill material into waters of the state, including wetlands. Third, current regulations have not been adequate to prevent losses in the quality and quantity of wetlands in California.

DOCUMENT AVAILABILITY

The proposed Amendments and related documents and information are available on the State Water Board's web site at:

http://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml.

You may request a paper copy of the proposed Amendments by contacting Ana Maria Saenz at (916) 341-5480 or AnaMaria.Saenz@waterboards.ca.gov.

Additional information on the hearing in Sacramento can be found at the State Water Board's web site at:

http://www.waterboards.ca.gov/board_info/calendar/.

SUBMISSION OF WRITTEN COMMENTS

The State Water Board will accept both written and oral comments on the proposed Amendments and Draft Staff Report. Written comments must be received by **12:00 noon on Thursday, September 7, 2017**, 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 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 the subject line: "**Statewide Dredged or Fill Procedures.**"

Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Ms. Townsend at (916) 341-5600.

PROCEDURAL MATTERS

At the September 6, 2017 public hearing, there will be no sworn testimony or cross-examination of participants. However, the State Water Board and its staff may ask clarifying questions. At the hearing, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient hearing 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

The State Water Board will schedule a subsequent meeting to consider adoption of the proposed Amendments.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

This is to advise that the State Water Board is proposing to adopt or amend the Ocean Plan and the forthcoming ISWEBE Plan in accordance with a regulatory program exempt under Section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.).

PARKING AND ACCESSIBILITY

Joe Serna Jr (CalEPA) Building

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map on the State Water Board Web site: <http://www.calepa.ca.gov/headquarters-sacramento/location/>.

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least 5 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. An audio broadcast of the meeting will be available via the internet and can be accessed at: <https://video.calepa.ca.gov/>.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

San Diego Regional Water Quality Control Board Office

From Downtown: Green Line light rail towards Santee to Fenton Parkway Station. Walk to 2375 Northside Drive (about 9 minutes). Head northwest on Fenton Parkway to Northside Drive. Right on Northside Drive.

I-15 north-take the Friars Road West exit (toward Qualcomm Stadium)-follow signs to stay on Friars Road. Turn left onto Northside Drive. Turn left at first signal (Fenton Marketplace Drwy). The building is located at the end of the court-veer to the left into the parking structure. Parking will be validated for the parking structure.

From the North: Pacific Surfliner Train 572 towards San Diego Santa Fe Depot. Walk to San Diego Old Town Transit Center (about 1 minute). Green Line light rail towards Santee to Fenton Parkway Station. Walk to 2375 Northside Drive (about 9 minutes). Head northwest on Fenton Parkway to Northside Drive. Right on Northside Drive.

I-15 south-take the Friars Road West exit-follow signs to stay on Friars Road. Turn left onto Northside Drive. Turn left at first signal (Fenton Marketplace Drwy). Our building is located at the end of the court-veer to the left into the parking structure. Parking will be validated for the parking structure.

San Diego Regional Water Quality Control Board is also accessible to people with disabilities. Individuals who have special accommodation or language needs, please contact Ms. Chris Blank at (619) 521-3382 or Christina.blank@waterboards.ca.gov at least 5 working days prior to the staff workshop. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

FUTURE NOTICES

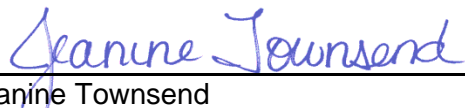
The State Water Board will hold the public staff workshops and public hearing at the time and place noted above. Any change in the date, time, and place of the public workshops and public hearing will be noticed on the Lyris e-mail list. Any person desiring to receive future notices concerning the proposed Amendments, including any changes to the notice of public hearing and consideration of adoption, must sign up for the Lyris e-mail list. To sign up for the Lyris list, access the E-mail List Subscription form, select the box for 'Wetland and Riparian Area Protection Policy' (located within the section entitled 'Water Quality Topics'), and provide the required information. The subscription form is located at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml.

CONTACT INFORMATION

Questions regarding this notice may be directed to Ana Maria Saenz at (916) 341-5480 (AnaMaria.Saenz@waterboards.ca.gov) or Bill Orme at (916) 341-5464 (Bill.Orme@waterboards.ca.gov).

Date July 21, 2017



Jeanine Townsend
Clerk to the Board