

## State Water Resources Control Board

# NOTICE OF PUBLIC HEARING, NOTICE OF ADOPTION HEARING AND OPPORTUNITY FOR PUBLIC COMMENT

## DRAFT STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR RESIDUAL 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 hold a public hearing to receive oral comments on the proposed Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for Residual Pesticide Discharges to waters of the United States from Algae and Aquatic Weed Control Applications (Draft Aquatic Weed Control Permit). The State Water Board will not take action at this hearing. The location and time of the hearing are provided below:

**August 7, 2012 – 9:00 a.m.**

Joe Serna, Jr.-Cal/EPA Headquarters Building  
Coastal Hearing Room  
1001 I Street, 2nd Floor  
Sacramento, CA 95814

The Board will hold a meeting to consider adopting the Draft Aquatic Weed Control Permit on:

**November 6, 2012 – 9:00 a.m.**

Joe Serna, Jr. Cal/EPA Headquarters Building  
Coastal Hearing Room  
1001 I Street, 2nd Floor  
Sacramento, CA 95814

### BACKGROUND

The Draft Aquatic Weed Control Permit has been prepared in response to the *National Cotton Council of America vs. United States Environmental Protection Agency* (U.S. EPA) decision by the Sixth Circuit Court of Appeals which requires that pesticide applications at, near, or over water that could result in a discharge of pollutants to waters of the United States must be covered by an NPDES permit. This permit will supersede existing [Order No. 2004-0009-DWQ](#) which the State Water Board issued in 2004.

The Draft Aquatic Weed Control Permit covers discharges of residual algaecides and aquatic herbicides from direct applications to surface waters to control algae and aquatic weeds. The draft permit does not authorize the discharge of residual pesticides and their degradation byproducts to waters of the United States that are impaired by the active ingredients of the products covered in the proposed permit. Impaired waters are those waters not meeting water

quality standards pursuant to Section 303(d) of the Clean Water Act. California impaired waters are listed on:

[http://www.waterboards.ca.gov/water\\_issues/programs/tmdl/2010state\\_ir\\_reports/2010\\_combo303d.xls](http://www.waterboards.ca.gov/water_issues/programs/tmdl/2010state_ir_reports/2010_combo303d.xls).

#### **DOCUMENT AVAILABILITY**

The Draft Aquatic Weed Control Permit is available to view or download on the State Water Board's Web site at:

[http://www.waterboards.ca.gov/water\\_issues/programs/npdes/aquatic.shtml](http://www.waterboards.ca.gov/water_issues/programs/npdes/aquatic.shtml).

Alternatively, you may receive a paper copy in the mail by contacting Ms. Rachael Tadlock at (916) 341-5506 ([rtadlock@waterboards.ca.gov](mailto:rtadlock@waterboards.ca.gov)).

For information regarding future public notices or status of the Draft Aquatic Weed Control Permit, please sign up for the "Pesticide Aquatic Weed" electronic mailing list at the State Water Board's Lyris List Web site:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml).

#### **SUBMISSION OF WRITTEN COMMENTS**

The State Water Board will accept both written and oral comments on the draft permit. Written comments must be received by **12:00 noon on August 21, 2012** 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](mailto: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 – Draft Aquatic Weed Control Permit.**"

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

#### **PROCEDURAL MATTERS**

Participants are encouraged to submit written comments prior to the hearing, in accordance with the deadline specified above. 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 the State Water Board's Web site at:

[http://www.waterboards.ca.gov/board\\_info/meetings/board\\_presentations.shtml](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml).

Please direct questions concerning the hearing to Ms. Jenny Chen at (916) 341-5570.

#### **PARKING AND ACCESSIBILITY**

For directions to the Joe Serna, Jr. Cal/EPA Headquarters Building and public parking information, please refer to the map on the State Water Board Web site:

<http://www.calepa.ca.gov/EPAldg/location.htm>.


The Joe Serna, Jr. Cal/EPA Headquarters 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. Telecommunications Device for the Deaf (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: <http://www.calepa.ca.gov/broadcast/>.

All visitors to the Joe Serna, Jr. Cal/EPA Headquarters 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.

**ADDITIONAL INFORMATION**

Please direct questions about this notice to Ms. Jenny Chen at (916) 341-5570 ([hjchen@waterboards.ca.gov](mailto:hjchen@waterboards.ca.gov)).

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Date                  June 28, 2012

  
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Jeanine Townsend  
Clerk to the Board