



State Water Resources Control Board



Arnold Schwarzenegger
Governor

Division of Water Quality

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Linda S. Adams
Secretary for
Environmental Protection

August 17, 2009

Dear Interested Party:

CHANGE SHEET #1 AND ATTACHMENT A FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION AND LAND DISTURBANCE ACTIVITIES (GENERAL CONSTRUCTION PERMIT)

For your information, Change Sheet #1, as well as Attachment A, hereby set forth staff's proposed changes to the General Construction Permit (documents dated April 22, 2009). The page numbers cited in Change Sheet #1 refer to the page numbers in the draft General Construction Permit, found here:

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

These proposed changes are based on the more than 1190 comments we received from 115 commentors, and also incorporate the proposed changes found on the General Construction Permit Errata Sheet posted June 10, 2009. Although Change Sheet #1 is quite lengthy, most of the changes reflect non-substantive clarifications. For example, many changes correct typographical errors, unclear wording, and inconsistent language in the fact sheet, order, and attachments.

Attachment A has been rearranged and reformatted for clarity. Change Sheet #1 does not reflect the changes made to Attachment A. Additional changes are reflected in a new, clean version of Attachment A dated August 17, 2009. This new version of Attachment A is posted on our Web site.

The most significant changes fall within the following categories:

Monitoring

- Clarified that receiving water monitoring and bioassessment applies only to Risk 3 / Linear Underground/Overhead Project (LUP) Type 3 dischargers with a "direct discharge" into receiving waters.

Effluent Limitations / Post-Construction

- Eliminated the Risk 3 / LUP Type 3 requirement for soil loss equivalence using RUSLE2.

California Environmental Protection Agency



- Clarified that the discharger must use non-structural controls unless they demonstrate that non-structural controls are infeasible or that structural controls will produce greater reduction in water quality impacts.

Training

- Eliminated the prerequisite option of "5 years" of experience before becoming a Qualified Storm Water Pollution Prevention Plan Developer.

Best Management Practices (BMPs)

- Eliminated the requirement to sample run-on and runoff.
- Eliminated the sediment basin criteria (Appendix 2), which are instead being proposed to be incorporated as guidance into the next generation of California Stormwater Quality Association BMP Handbooks.

LUP Attachment A

- Clarified that Rain Event Action Plan and post-construction requirements do not apply to LUPs.
- Clarified that dischargers are allowed to shield certain information in the permit registration documents in accordance with the Department of Homeland Security and other safety requirements.

As a reminder, the State Water Resources Control Board will consider adopting the proposed Draft General NPDES Permit for Discharges of Storm Water Associated with Construction Activities on September 2, 2009. The meeting will be held:

Wednesday, September 2, 2009, 9:00 AM
Cal/EPA Headquarters Building
Coastal Hearing Room
1001 I Street, 2nd Floor
Sacramento, CA 95814

Please direct any questions regarding this matter to the staff in the Storm Water Section at (916) 341-5537 or stormwater@waterboards.ca.gov

Sincerely,

E. L. Haven for D. Polhemus

Darrin Polhemus, Deputy Director
Division of Water Quality