
State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR WRITTEN COMMENTS, PUBLIC WORKSHOP, AND CONSIDERATION OF ADOPTION ON PROPOSED STATEWIDE CONSTRUCTION STORMWATER GENERAL PERMIT REISSUANCE

NOTICE IS HEREBY GIVEN that State Water Resources Control Board (State Water Board) will accept written comments, and any directly related evidence, on only the revisions to the antidegradation findings, as set forth in Section I.H of the Fact Sheet of the proposed Statewide Construction Stormwater General Permit.

NOTICE IS ADDITIONALLY HEREBY GIVEN that State Water Board staff will hold a public workshop to provide interested parties an overview of the proposed Permit, including proposed revisions in response to public comments received during the March 30, 2022 through May 2, 2022 limited-scope public comment period.

The public workshop will be held remotely as follows:

Tuesday, August 9, 2022; 9:00 a.m. - 1:00 p.m.

Video and Teleconference Only

No Physical Meeting Location

[Zoom Registration Link:](#)

(https://forms.office.com/Pages/ResponsePage.aspx?id=JWoY_kI95kGZQQXSKB02wdNuUmL-TXJJIGrNYmKTFptUN0xKQ0NTUTRaSIRaT1VBR1RYOVIRTkcyWC4u)

Video Broadcast: <https://video.calepa.ca.gov/>

A quorum of the State Water Board may attend the public workshop; however, no State Water Board action will be taken during the workshop.

Participants are encouraged to view the workshop through the above video broadcast unless intending to ask questions or comment during the workshop. Participants who intend to ask questions or comment during the workshop should register in advance using the Zoom Registration above.

NOTICE IS ADDITIONALLY HEREBY GIVEN that the State Water Board will consider the adoption of the proposed General Permit at its regularly scheduled Board meeting on:

Thursday, September 8, 2022; 9:30 a.m.

Coastal Hearing Room – Second Floor

Joe Serna Jr. - CalEPA Building

1001 I Street, Sacramento

And via Video and Teleconference

(As authorized by Government Code section 11133)

Video and Teleconference Option: This meeting will occur at a physical meeting location with an option to participate from a remote location.

- For those who wish to only watch the meeting, the webcast remains available at either <https://www.youtube.com/user/BoardWebSupport/> or <https://video.calepa.ca.gov/> (closed captioning available) and should be used UNLESS you intend to comment.
- For members of the public who wish to comment on an agenda item or are presenting to the Board, additional information about participating telephonically or via the remote meeting solution is available at: https://www.waterboards.ca.gov/board_info/remote_meeting/. Any updates to this information will be available at the same website at least 10 days before the meeting.

Any person desiring to receive future notices about changes to the date, time, location, or format of the public meeting should sign up for the Lyris e-mail list, as described below.

BACKGROUND

The federal Clean Water Act requires discharges of construction stormwater to waters of the United States to be regulated by a National Pollutant Discharge Elimination System (NPDES) permit. The State Water Board adopted the existing statewide NPDES Construction Stormwater General Permit in 2009 to regulate stormwater discharges associated with construction activities disturbing one or more acres of land or less than one acre but are part of a larger common plan of development or sale that totals one or more acres of land disturbance. The existing statewide General Permit expired on September 2, 2014 and is administratively extended until the effective date of a reissued permit.

The proposed statewide General Permit reissuance incorporates:

- New requirements to implement existing total maximum daily loads (TMDLs) adopted by Regional Water Quality Control Boards into applicable basin plans;
- New requirements to address discharges from passive treatment technology uses and dewatering activities;
- New eligibility criteria for permit enrollment through a Notice of Non-Applicability;
- Updates to the existing Notice of Termination process;

- Requirements to implement the California Ocean Plan and amendments to the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries, including the statewide Trash Provisions;
- Updated requirements for demolition activities;
- Updated water quality sampling requirements per the federal Sufficiently Sensitive Test Methods Rule;
- Updated monitoring and reporting requirements;
- Antidegradation findings that comply with federal and state antidegradation policies; and
- New programmatic permitting permit enrollment options for linear utility construction projects.

DOCUMENT AVAILABILITY

The proposed statewide Construction Stormwater General Permit documents and Response to Comments are available on the State Water Board [Construction Stormwater Program web page](http://www.waterboards.ca.gov/constructionstormwater) (www.waterboards.ca.gov/constructionstormwater).

PROCEDURAL MATTERS

At the State Water Board public meeting for Board consideration of adoption, there will be no sworn testimony or cross-examination of participants. However, the State Water Board and its staff may ask clarifying questions. Participants will be given an opportunity to provide oral presentations. To ensure a productive and efficient Board meeting in which all participants have an opportunity to participate, oral presentations may be time limited.

Participants planning to use a Power Point presentation during the September 8, 2022 Board meeting must submit the file electronically, in .ppt. format, to the Clerk to the Board via email at commentletters@waterboards.ca.gov no later than 12:00 p.m. (noon) on Thursday September 1, 2022. Please indicate in the subject line “Power Point Presentation – Construction Stormwater General Permit.”

Presentation recommendations are available at the [State Water Board presentations page](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml) (http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml).

EX PARTE DISCLOSURE REQUIREMENTS FOR PROPOSED GENERAL PERMIT

This item is subject to the ex parte communication disclosure requirements of Water Code section 13287, as explained in a [Memo from the Office of the Chief Counsel](http://www.waterboards.ca.gov/laws_regulations/docs/exparte.pdf) (http://www.waterboards.ca.gov/laws_regulations/docs/exparte.pdf). Any communications between interested persons and Board members (other than at a noticed Board meeting or submitted in compliance with a public notice) must be disclosed by the interested person within seven days of the communication. A sample disclosure form is available on the [State Water Board General Order Disclosure Form](https://www.waterboards.ca.gov/laws_regulations/docs/ExParteGeneralOrderForm.pdf) (https://www.waterboards.ca.gov/laws_regulations/docs/ExParteGeneralOrderForm.pdf)

SUBMISSION OF WRITTEN COMMENTS

The State Water Board will accept written comments, including any directly related evidence, on only the revisions to the antidegradation findings in Section I.H.2 of the Fact Sheet in the proposed Statewide Construction Stormwater General Permit. Written comments must clearly relate to the antidegradation revisions. Written comments or evidence that address other components of the proposed Permit reissuance will not be accepted. Written comments and accompanying evidence regarding the revisions to the proposed antidegradation findings must be received no later than **12:00 p.m. (noon) on Tuesday, August 23, 2022**. Written comments must be addressed to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000 (mail)
1001 I Street, 24th Floor, Sacramento, CA 95814 (hand-delivery)

Written comments 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 in the subject line: **“Comment – Proposed Construction Stormwater General Permit Reissuance.”** The State Water Board will not accept any additional written comments after the deadline.

FUTURE NOTICES

Any person desiring to receive future notices concerning the proposed Construction Stormwater General Permit reissuance, including any changes to the format, location, date or time of the public staff workshop or Board meeting, should sign up for the Lyris e-mail list as follows:

- (1) Access the [State Water Board email subscription web page](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml) (www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml)
- (2) Click the “Water Quality” tab
- (3) Check the box for “Stormwater Construction Permitting Issues”
- (4) Fill in the required signup details, and
- (5) Press the “Subscribe” button

ACCESSIBILITY

The meetings will be offered in English. To request other language interpretation or other accommodation, please submit your request at least 7 business days before the Board meeting (by September 1, 2022) by contacting Brandon Roosenboom at Brandon.Roosenboom@waterboards.ca.gov. If you have limitations hearing or speaking, you may contact the California Relay Service at (800) 735-2929 (teletypewriter) or (800) 735-2922 (voice).

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/>.

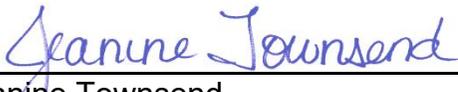
All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

ADDITIONAL INFORMATION

Please direct questions regarding this notice or requests for a paper copy of the proposed statewide Construction Stormwater General Permit reissuance to Brandon Roosenboom at Brandon.Roosenboom@waterboards.ca.gov.

July 22, 2022

Date



Jeanine Townsend
Clerk to the Board