

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Derek Beauduy
MEETING DATE: December 15, 2021

ITEM: 10

Amendment of Cease and Desist Order for California Department of Transportation

DISCUSSION

This Tentative Order (Appendix A) would amend Cease and Desist Order No. R2-2019-0007 (CDO), issued to the California Department of Transportation (Caltrans) on February 13, 2019, to extend the compliance date for the first CDO-required updated visual trash assessment by one year to December 31, 2022, and require interim submittals of an updated visual trash assessment methodology by June 30, 2022, and a sample trash generation map produced using the updated methodology by August 30, 2022. The Tentative Order would also update CDO Appendix A to incorporate the revised deadlines and correct trash reduction benchmark acreages.

The CDO includes required actions, a schedule, and compliance benchmarks to bring Caltrans into compliance with trash reduction requirements in State Water Resources Control Board Order No. 2012-0011-DWQ, as amended, which is a statewide national pollutant discharge elimination system (NPDES) permit that regulates Caltrans' stormwater and permitted non-stormwater discharges.

In 2016 and 2018, Caltrans conducted visual trash assessments of its right-of-way (ROW) within the San Francisco Bay Region, and identified approximately 8,820 acres of ROW as significant trash generating areas (STGAs). STGAs are defined as all moderate or greater trash generating areas. The CDO requires Caltrans to periodically reassess its ROW to determine the remaining extent of STGAs; that is, the area from which trash must still be controlled in addition to the 8,800 acres of significant trash generating area initially identified, and required by the CDO to be controlled by June 30, 2026.

Caltrans has requested a one-year extension for the CDO requirement to complete an updated visual trash assessment to allow additional time to develop and improve its visual trash assessment methodology. This improved methodology requires additional time for Caltrans to incorporate innovative artificial intelligence and machine learning technology in partnership with Google and its Litter Insights platform. The additional time and work are expected to result in a more accurate assessment and representation of trash conditions within Caltrans ROW. We agree that the additional time and work may result in an assessment that better reflects trash conditions in Caltrans ROW, and, therefore, the extension request is reasonable. Caltrans will continue to implement other CDO requirements as it works on the updated assessment.

The Tentative Order was public noticed and the comment period ended on November 29, 2021. No comments were received.

APPENDIX

A. Tentative Order – Proposed Amendment to Cease and Desist Order No. R2-2019-0007

Appendix A
Tentative Order – Proposed Amendment to
Cease and Desist Order No. R2-2019-0007