



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Water Quality

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Arnold Schwarzenegger  
Governor

## NOTICE OF PUBLIC HEARING

### DRAFT STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR PESTICIDE DISCHARGES TO WATERS OF THE UNITED STATES FROM SPRAY APPLICATIONS (SPRAY APPLICATIONS PERMIT)

**NOTICE IS HEREBY GIVEN THAT** the State Water Resources Control Board (State Water Board) will hold a public hearing to accept comments on the draft Spray Applications Permit. A quorum of the Board may be present; however, no State Water Board action will be taken. The location and time of the hearing are provided below.

**November 2, 2010 – 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 Spray Applications Permit has been prepared in response to the *National Cotton Council of America v. U.S. Environmental Protection Agency* decision by the Sixth Circuit Court of Appeals, which found that an NPDES permit is required for pesticide applications at, near, or over water if the application will result in a discharge of pollutants, including residual pesticides, to surface waters.

The draft Spray Applications Permit would regulate residual pesticide discharges to waters of the U.S. from pesticide spray applications to control invasive insects and invasive plants. The draft permit contains narrative effluent and receiving water limitations and pesticide application requirements, to protect the beneficial uses of U.S. waters. The draft permit also contains receiving water monitoring triggers and monitoring requirements for those active ingredients that may pose a threat to water quality. Staff plans to use monitoring results from this permit to develop numerical receiving water limitations for future use.

### DOCUMENT AVAILABILITY

The draft Spray Applications Permit is available to view or download on the State Water Board's website at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/npdes/docs/aquatic/092810spray\\_applicationspermit.pdf](http://www.waterboards.ca.gov/water_issues/programs/npdes/docs/aquatic/092810spray_applicationspermit.pdf). Alternatively, you may receive a paper copy in the mail by contacting Lydia Deller at (916) 341-5506.

*California Environmental Protection Agency*

## **SUBMISSION OF WRITTEN COMMENTS**

The State Water Board is interested in receiving comments regarding all aspects of the draft Spray Applications Permit. Oral comments can be made during the public hearing. Written comments must be received by **12:00 noon on November 16, 2010**, 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 to the Clerk to the Board via email at: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) (if less than 15 megabytes in total size) or by fax at (916) 341-5620. Please indicate in the subject line: **“Comment Letter – Draft Spray Applications Permit.”**

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

## **PROCEDURAL MATTERS**

Participants are encouraged to submit written comments prior to the hearing. 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 process 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](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml).

## **PARKING AND ACCESSIBILITY**

A parking garage is located across from the Joe Serna Jr./Cal/EPA Building with entrances on 10th and 11th Streets between “I” and “J” Streets. Metered parking spaces are also available in the vicinity of the building. For a map, refer to the State Water Board’s Web site: <http://www.calepa.ca.gov/EPAbldg/location.htm>.

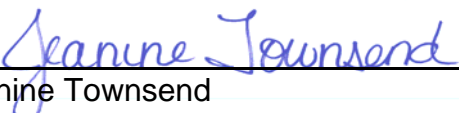
Please note: All visitors to the Joe Serna Jr./Cal/EPA Building are required to sign in and receive a badge at the Visitor Services Center located inside the main entrance (10th Street entrance). Valid picture identification may be required due to the security level. Please allow up to 15 minutes for receiving clearance before proceeding to the Coastal Hearing Room on the 2nd floor.

The Joe Serna Jr./Cal/EPA Building is accessible to persons with disabilities. Individuals who require special accommodations are requested to call (916) 341-5880 at least five working days prior to the meeting date. Persons with hearing or speech impairments can contact us by using the California Relay Service Telecommunications Device for the Deaf (TDD). TDD is reachable only from phones equipped with a TDD Device.

HEARING IMPAIRED RELAY SERVICE: TDD to voice 1 800-735-2929; voice to TDD 1-800-735-2922.

Questions regarding the draft Spray Applications Permit should be directed to Jenny Chen at (916) 341-5570 or email at [hjchen@waterboards.ca.gov](mailto:hjchen@waterboards.ca.gov).

September 30, 2010  
Date

  
Jeanine Townsend  
Clerk to the Board