

State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND NOTICE OF PUBLIC HEARING

REISSUANCE OF STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR BIOLOGICAL AND RESIDUAL PESTICIDE DISCHARGES TO WATERS OF THE UNITED STATES FROM AQUATIC ANIMAL INVASIVE SPECIES CONTROL APPLICATIONS (AQUATIC ANIMAL INVASIVE SPECIES CONTROL PERMIT)

NOTICE IS HEREBY GIVEN THAT the State Water Resources Control Board (State Water Board) will hold a public hearing to consider adoption of the proposed Aquatic Animal Invasive Species Control Permit. The proposed permit will update Water Quality Order 2011-0003-DWQ. The public hearing to consider adoption of the proposed permit will be on:

Tuesday, March 1, 2016 – 9:00 a.m.
Joe Serna Jr. CalEPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

BACKGROUND

In March 2011, the State Water Board adopted the Aquatic Animal Invasive Species Control Permit, which covers the point source discharge of biological pesticides and residual chemical pesticides resulting from direct applications of pesticides for aquatic animal invasive species control. The existing National Pollutant Discharge Elimination System (NPDES) permit will expire in February 2016; the proposed permit serves as a reissuance for a new five-year term and includes the changes described below.

The existing NPDES permit regulates active ingredients for the control of mussels and other aquatic animal invasive species. In June 2014, the California Department of Pesticide Regulation registered copper as an active ingredient for the control of aquatic animal invasive species. The proposed NPDES permit reissuance adds copper to the active ingredient to be regulated by the statewide permit.

When the California Department of Pesticide Regulation registers a new active ingredient for the control of aquatic animal invasive species, the permit must be amended to add the new active ingredient and its corresponding receiving water limitations before dischargers may begin using the active ingredient. Furthermore, when the California Department of Pesticide Regulation registers a new active ingredient, the permit may also be amended to allow dischargers a regulatory exception from complying with receiving water limitations for the pollutant in accordance with the California Ocean Plan and/or the State Water Board Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of

California. Amending the permit on a case-by-case basis is resource intensive for the State Water Board. The proposed reissuance adds language to the permit that delegates the State Water Board's authority for the actions described above to the Executive Director or his/her designee.

DOCUMENT AVAILABILITY

The proposed amendment and related documents are available to view or download on the State Water Board's website at:

http://www.waterboards.ca.gov/water_issues/programs/npdes/pesticides/animal_invasive.shtml.

You may request a paper copy by contacting Ariana Villanueva at (916) 341-5775 or Ariana.Villanueva@waterboards.ca.gov.

SUBMISSION OF WRITTEN COMMENTS

The State Water Board will accept written comments on the proposed permit. Written comments must be received by **12:00 noon on Friday, January 29, 2016** 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 email at commentletters@waterboards.ca.gov. If the file is greater than 15 megabytes in total size, the comment letter may be submitted by fax at (916) 341-5620. Please indicate the subject line: **"Comment Letter –Aquatic Animal Invasive Species Control Permit Reissuance."**

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

At the meeting, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient meeting 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 at the State Water Board's website. Questions concerning the meeting may also be directed to Ms. Ariana Villanueva at (916) 341-5775.

EX PARTE DISCLOSURE REQUIREMENTS FOR PENDING GENERAL ORDERS

This item is subject to the ex parte communication disclosure requirements of Water Code section 13287, as explained in

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 as a comment letter in compliance with the public notice) must be disclosed by the interested person within seven days of the communication. Sample disclosure forms are available at: http://www.waterboards.ca.gov/laws_regulations/docs/swrcb_godf_fillin.pdf.

Beginning **Tuesday, February 16, 2016**, ex parte communications between interested persons and board members concerning this item are prohibited.

PARKING AND ACCESSIBILITY

For directions to the Joe Serna, Jr (CalEPA) Building and public parking information, please refer to the map on the State Water Board's website at:

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

The Ca/EPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least five working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

A 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 CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located inside the main 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. Ariana Villanueva at (916) 341-5775 or

Ariana.Villanueva@waterboards.ca.gov.

December 23, 2015
Date


Jeanine Townsend
Clerk to the Board