
State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

REQUEST BY CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR A TIME EXTENSION OF A COMPLIANCE PLAN SUBMITTAL ADDRESSING AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE

NOTICE IS HEREBY GIVEN that the Executive Director of the State Water Resources Control Board (State Water Board) will receive public comments on the California Department of Transportation's (Department's) request for a one-year time extension for submittal of a Compliance Plan for storm water discharges from the Department's Municipal Separate Storm Sewer System (MS4) to Areas of Special Biological Significance (ASBS).

Per Code of Federal Regulations, part 40, sections 122.62 and 124.10, a proposed one-time extension is being issued for a 30-day public review and comment period. After review of public comments, the Executive Director will determine if a time extension for the Compliance Plan submittal is administratively approved.

BACKGROUND INFORMATION

Storm water runoff from the Department's MS4 is regulated under a National Pollutant Discharge Elimination System (NPDES) permit issued by the State Water Board under authority delegated by the U.S. Environmental Protection Agency. The State Water Board adopted a revised NPDES permit for the Department on September 19, 2012. The revised permit contains requirements for the control of discharges from the Department's MS4 to ten ASBS on the California coast. The revised permit requires the Department to develop and submit a final ASBS Compliance Plan to the Executive Director no later than September 20, 2014.

The ASBS Compliance Plan must address how the Department proposes to comply with the ASBS-related permit requirements after corresponding analysis of existing water quality monitoring data. The final Plan must include proposed structural and non-structural treatment controls to address pollutant discharge concentrations observed in monitoring data, and a corresponding implementation schedule.

In a May 23, 2013 letter, the State Water Board granted the Department a one-year time extension for completion of ASBS monitoring due to the relatively dry conditions of the 2012-2013 storm season. In a June 25, 2013 letter, the Department subsequently requested a one-year time extension for submittal of the final ASBS Compliance Plan (extension to September 20, 2015). The Department's justification for the request included: (1) dry weather during the 2012-2013 season resulting in insufficient monitoring data, (2) the need for an additional year of monitoring data to develop proposed compliance approaches, and (3) additional time needed to proceed with regional monitoring agreements.

DOCUMENT AVAILABILITY

ASBS Compliance Plan requirements are located in Provision E.5. of the NPDES permit located at the following link, beginning on page 58:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2012/wqo2012_0011_dwq.pdf

The State Water Board's May 23, 2013 letter granting a time extension of the 2013–2014 storm season monitoring to the 2014-2015 storm season is available at:

http://www.waterboards.ca.gov/water_issues/programs/ocean/docs/asbs/ltr_to_caltrans_asbs052313.pdf

The Department's June 25, 2013 letter requesting a subsequent time extension for the submittal of a final ASBS Compliance Plan is available at:

http://www.waterboards.ca.gov/water_issues/programs/ocean/docs/asbs/caltrans_extend_asbs_comp_ltr062513.pdf

The proposed amendment per the draft order, and this Public Notice are also available at:

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

SUBMISSION OF COMMENTS

Interested persons are encouraged to submit their written comments electronically. Comment letters can be submitted by e-mail to commentletters@waterboards.ca.gov (if less than 15 megabytes in total size) or by fax at (916) 341-5620 with the subject "**Comment Letter – Caltrans ASBS Compliance Plan.**" Written comments also may be submitted by mail to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

or hand-delivered to the following address:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

The due date for submitting comments is **Friday, December 19, 2013 by 12:00 noon.**

CONTACT INFORMATION

Questions about this notice may be directed to Walt Shannon, Chief of the Municipal Storm Water Unit at (916) 341-5497 or walt.shannon@waterboards.ca.gov, or to Mariela de la Paz Carpio-Obeso, Chief of the Ocean Unit, at (916) 341-5858 or MarielaPaz.Carpio-Obeso@waterboards.ca.gov.

November 12, 2013

Date



Jeanine Townsend
Clerk to the Board