

State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

**DRAFT AMENDMENTS TO
WATER QUALITY ORDER 2013-0002-DWQ
(AS AMENDED BY ORDERS 2014-0078-DWQ AND 2015-0029-DWQ)
GENERAL PERMIT NO. CAG990005**

**STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT FOR RESIDUAL AQUATIC PESTICIDE DISCHARGES TO WATERS OF THE
UNITED STATES FROM ALGAE AND AQUATIC WEED CONTROL APPLICATIONS**

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) Executive Director is proposing to amend the Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for Residual Aquatic Pesticide Discharges to Waters of the United States from Algae and Aquatic Weed Control Applications, Order 2013-0002-DWQ (Aquatic Weed Control Permit) as amended by Orders 2014-0078-DWQ and 2015-0029-DWQ.

BACKGROUND

The State Water Board adopted the Aquatic Weed Control Permit on March 5, 2013 (later amended by Orders 2014-0078-DWQ on May 20, 2014 and 2015-0029-DWQ on March 3, 2015). Section III.B of the Weed Control Permit provides delegation authority from the State Water Board to the Executive Director to amend the permit to add new active ingredients currently registered by the Department of Pesticide Regulation (DPR) for the control of aquatic weeds and, to add Dischargers to the list of public agencies in permit Attachment G who have satisfactorily completed the California Environmental Quality Act (CEQA) process and been granted an exception from meeting receiving water limitations for pesticide active ingredients that are priority pollutants in accordance with section 5.3 of the State Water Board Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP).

This item proposes the following amendments to the Aquatic Weed Control Permit:

1. Add the City of Sacramento, City of Poway, Helix Water District, San Diego County Water Authority, Santa Fe Irrigation District, and Sweet Water Authority to Attachment G, which lists dischargers excepted from meeting receiving water limitations for acrolein or copper in accordance with SIP section 5.3. These agencies have satisfactorily completed the required CEQA process.
2. Modify the SIP exception for Byron-Bethany Irrigation District (District) in Attachment G to add a SIP exception for copper to the District's current SIP exception for acrolein. Attachment G lists dischargers receiving exceptions to meeting receiving water limitations for acrolein or copper in accordance with SIP section 5.3. The District has satisfactorily completed the required CEQA process.

3. Add the pesticide active ingredient flumioxazin. DPR approved the use of pesticide products containing this active ingredient for aquatic use in the state in 2014.
4. Add the pesticide active ingredients hydrogen peroxide and peroxyacetic acid. DPR approved the use of pesticide products containing these active ingredients for aquatic use in the state in 2002.
5. Add restrictions for use of products containing hydrogen peroxide, peroxyacetic acid, and sodium carbonate peroxyhydrate to protect aquatic life.

DOCUMENT AVAILABILITY

The proposed amendments 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/weed_control.shtml

You may request a paper copy by contacting Mr. Russell Norman at (916) 323-5598 or Russell.Norman@waterboards.ca.gov.

SUBMISSION OF WRITTEN COMMENTS

Written comments on the Draft Amendments to the Aquatic Weed Control Permit will be accepted until **12:00 noon on Friday, March 25, 2016**. Written comments must be 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 – Draft Aquatic Weed Control Permit Amendments."**

Any person wishing to request a public hearing on this matter may submit the request in writing to the above contact, with a subject line indicating: **"Comment Letter and Request for Public Hearing – Draft Aquatic Weed Control Permit Amendments."**

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

ADDITIONAL INFORMATION

Please direct questions about this notice to Mr. Russell Norman at (916) 323-5598 or Russell.Norman@waterboards.ca.gov.

February 23, 2016

Date



Jeanine Townsend
Clerk to the Board