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**STATE WATER RESOURCES CONTROL BOARD
ORDER 2013-XXXX-EXEC
AMENDING**

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
NO. CAS000003
ORDER 2012-0011-DWQ
STATEWIDE STORM WATER PERMIT
WASTE DISCHARGE REQUIREMENTS (WDRs)
FOR
THE STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

The State of California, Water Resources Control Board (hereafter State Water Board) finds:

1. Storm water runoff from the State of California Department of Transportation's (Department) Municipal Separate Storm Sewer System (MS4) is regulated under an NPDES permit issued by the State Water Board under authority delegated by the U.S. Environmental Protection Agency (U.S. EPA). The State Water Board adopted Order 2012-0011-DWQ for the Department on September 19, 2012, and the Order became effective on July 1, 2013.
2. Order 2012-0011-DWQ contains requirements for the control of discharges from the Department's MS4 to ten Areas of Special Biological Significance (ASBS) on the California coast. Order 2012-0011-DWQ requires the Department to develop and submit to the Executive Director of the State Water Board a final ASBS Compliance Plan no later than September 20, 2014. The ASBS Compliance Plan must address how the Department proposes to comply with the NPDES permit requirements related to ASBS.
3. In a May 23, 2013 letter to the Department, the State Water Board extended by one year the deadlines for completion of required ASBS monitoring, due to the relatively dry conditions of the 2012-2013 monitoring season. The extension allowed the Department to complete the monitoring of the Northern Coast and Central Coast through the 2014-2015 storm season, and continue monitoring the Southern Coast through the 2013-2014 storm season.
4. Subsequently, in a June 25, 2013 letter, the Department requested, at minimum, a one-year extension to submit the final ASBS Compliance Plan. The Department stated that (1) dry weather during the 2012-2013 season resulted in insufficient monitoring data, as acknowledged by the State Water Board in its allowance of an extension of the monitoring period, (2) at least one more year of water quality data is needed for preparation of the final ASBS Compliance Plan, and (3) stakeholder agreements with regional monitoring partners need to be established. The Department requested a new submission date of September 20, 2015.

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5. The final ASBS Compliance Plan must propose structural and non-structural treatment controls to address pollutant discharges and a corresponding implementation schedule. The siting, design, and implementation of proposed treatment controls must be based on monitoring data collected during storm seasons; therefore the preparation of the final ASBS Compliance Plan is dependent on the monitoring schedule discussed above.
6. Per Code of Federal Regulations, part 40, sections 122.62 and 124.10, the State Water Board issued a Public Notice on November 12, 2013 for a 30-day public review and comment period on the proposed amendment to Order 2012-0011-DWQ, as specified in Attachment A to this Order. Formal comments were due by December 19, 2013.

IT IS HEREBY ORDERED THAT:

Order 2012-0011-DWQ is hereby amended as shown in Attachment A. The amended Order shall become effective on January 1, 2014.

Thomas Howard
Executive Director

Date

DRAFT

ATTACHMENT A
TO
ORDER 2013-XXXX-EXEC
AMENDING

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Section E.5.b.(2) (p.58):

- 2) No later than September 20, 2013, the Department shall submit a draft written ASBS Compliance Plan to the State Water Board Executive Director that describes its strategy to comply with these provisions, including the requirement to maintain natural water quality in the affected ASBS (see Provision E.5.c.). The final ASBS Compliance Plan, including a description and final schedule for structural controls based on the results of runoff and receiving water monitoring, shall be submitted no later than September 20, ~~2014~~ **2015** and shall be included in the SWMP.

Attachment IX: Reporting Requirements of Order 2012-0011-DWQ

Final ASBS Compliance Plan	E.5.b.2)	59	September 20, 2014 2015	30 42 months after the General Exception effective date
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