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State Water Resources Control Board

**NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND  
NOTICE OF PUBLIC HEARING**

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL  
PERMIT FOR STORM WATER DISCHARGES FROM  
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)  
REVISED DRAFT TENTATIVE ORDER**

**NOTICE IS HEREBY GIVEN THAT** the State Water Resources Control Board (State Water Board) will receive written comments on the Revised Draft NPDES General Permit for Storm Water Discharges from Small MS4s (Revised Draft Tentative Order).

**NOTICE IS ADDITIONALLY HEREBY GIVEN THAT** the State Water Board will hold a Public Hearing on the Revised Draft Tentative Order. A quorum of State Water Board members may be present at the public hearing; however, no Board action will be taken. The time and location of the public hearing is:

**Wednesday, August 8, 2012 – 9:00 a.m.  
Joe Serna Jr. – Cal/EPA Headquarters Building  
Coastal Hearing Room  
1001 I Street, Second Floor  
Sacramento, CA 95814**

**BACKGROUND**

On December 8, 1999, U.S. EPA promulgated the Storm Water Phase II Final Rule under authority of the Clean Water Act (CWA) § 402(p)(6). The regulations require State Water Board to issue an NPDES permit for operators of Small MS4s. In 2003, the State Water Board adopted [Water Quality Order No. 2003-0005-DWQ](#), NPDES General Permit CAS000004, regulating storm water discharges from Small MS4s. If adopted by the State Water Board, the Revised Draft Tentative Order will supersede Water Quality Order No. 2003-005-DWQ upon its effective date.

A public notice was circulated on June 7, 2011, advising that a Draft Tentative Order was available for public review and comment. The June 7, 2011 notice established an August 8, 2011 deadline for submitting written comments. On July 27, 2011, the public was notified that the deadline for submitting written comments was extended to September 8, 2011. A public workshop on the Draft Tentative Order was held on August 17, 2011.

Based upon comments received during the public comment period and at the August 17, 2011 public workshop, the Draft Tentative Order has been substantially revised. The Revised Draft Tentative Order dated May 18, 2012 is the subject of this Notice.

### **DOCUMENT AVAILABILITY**

The Revised Draft Tentative Order is available on the State Water Board's Web site at:  
[www.waterboards.ca.gov/phaseIIpermit](http://www.waterboards.ca.gov/phaseIIpermit)

You may also receive a copy of the Revised Draft Tentative Order by contacting Ms. Ali Dunn at (916) 341-6899 ([adunn@waterboards.ca.gov](mailto:adunn@waterboards.ca.gov)).

### **SUBMISSION OF WRITTEN COMMENTS**

Interested persons must submit all evidence (e.g. photographs, data, testimony) and written comments no later than **12:00 noon on Monday, July 23, 2012 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 of the Board via email at:  
[commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) (15 megabytes, or less, in size) or by fax at (916) 341-5620. Please indicate in the subject line "**Comment Letter – 2nd Draft Phase II Small MS4 General Permit.**"

Comments may also be hand delivered. Couriers delivering comment letters must check in with lobby security personnel on the first floor of the Cal/EPA Building at the above address. Questions on comment submittals may be directed to Ms. Townsend, at (916) 341-5600.

The Revised Draft Tentative Order proposes to designate a number of listed entities as regulated under the permit. These lists may continue to be revised before adoption of the final Order. Further, entities not listed at the time of adoption of the final Order may nevertheless be regulated under the final Order by designation by a Regional Water Quality Control Board during the permit term. All Small MS4s are therefore on notice that they may be regulated under the Revised Draft Tentative Order, if adopted, and must submit any comments during the noticed public comment period regardless of whether they are currently listed as designated.

### **NATURE AND PURPOSE OF HEARING**

At the hearing, State Water Board staff will provide a brief overview of the Revised Draft Tentative Order and will answer any questions by the public. Interested parties will have an opportunity to address the Board. Participants may summarize their written submissions and make policy statements, but no new evidence will be admitted. The State Water Board may impose time limits on oral comments. There will be no sworn testimony.

### **FUTURE WORKSHOPS AND ADOPTION MEETING**

Staff will conduct informal workshops on the Revised Draft Tentative Order in June and July 2012. The dates and locations of the informal workshops are as follows:

**June 15, 2012 – Sacramento**  
**June 18, 2012 – San Luis Obispo**  
**June 20, 2012 – Santa Rosa**  
**June 26, 2012 – Costa Mesa**  
**June 28, 2012 – Redding**

Staff expects to submit the final Tentative Order to the State Water Board for consideration of adoption in October 2012. Public notices providing the specific times and locations for the workshops above and the specific date for the board adoption meeting and any other public notices related to this Revised Draft Tentative Order will be posted on the State Water Board's Web site at: [www.waterboards.ca.gov/phasellpermit](http://www.waterboards.ca.gov/phasellpermit) and distributed through the Lyris e-mail list server.

Any person desiring to receive future public notices regarding this Tentative Order must sign up for the Lyris e-mail list. To sign up for the Lyris list, access the E-mail List Subscription form, check the box for municipal storm water permitting, then fill in the required information. The subscription form is at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml)

#### **PARKING AND ACCESSIBILITY**

For directions to the Cal/EPA Building and public parking information, please refer to the map on the State Water Board's Web site at: <http://www.calepa.ca.gov/EPAbldg/location.htm>.

The Cal/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 Cal/EPA 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**

Questions regarding this notice may be directed to: Ms. Ali Dunn at (916) 341-6899 ([adunn@waterboards.ca.gov](mailto:adunn@waterboards.ca.gov)), Mr. Eric Berntsen at (916) 341-5911 ([eberntsen@waterboards.ca.gov](mailto:eberntsen@waterboards.ca.gov)), Ms. Christine Sotelo at (916) 445-2317 ([csotelo@waterboards.ca.gov](mailto:csotelo@waterboards.ca.gov)), or Ms. Emel Wadhvani, Staff Counsel, at (916) 322-3622 ([ewadhvani@waterboards.ca.gov](mailto:ewadhvani@waterboards.ca.gov)).

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Date      May 21, 2012

  
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Jeanine Townsend  
Clerk to the Board