

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2001 - 070

APPROVAL OF THE REVISED STATEWIDE STORM WATER  
MANAGEMENT PLAN FOR CALIFORNIA DEPARTMENT OF  
TRANSPORTATION TO COMPLY WITH ORDER NO. 99-06-DWQ  
ADOPTED BY THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

1. The Code of Federal Regulations, Chapter 40, Section 122.26, requires owners or operators of municipal separate storm sewer systems (MS4s) to obtain permits issued under the National Pollutant Discharge Elimination System (NPDES) permit program for discharges from the storm sewer systems.
2. The California Department of Transportation (Caltrans) is an owner or operator of MS4s and is required to obtain an NPDES permit.
3. Caltrans submitted an application to obtain a single statewide NPDES permit in August 1996 to consolidate and eliminate the need for the individual NPDES permits issued to Caltrans by the Regional Water Quality Control Boards (RWQCBs).
4. Caltrans' application included a proposed Storm Water Management Program (SWMP) that described the best management practices (BMPs) and other activities to be implemented by Caltrans statewide to reduce the discharge of pollutants from MS4s owned or operated by Caltrans. The SWMP is to be implemented on a statewide basis and is not restricted to only those areas defined by the federal regulations.
5. The State Water Resources Control Board (SWRCB) adopted Order No. 99-06-DWQ (hereafter referred to as Permit) on July 15, 1999, issuing an NPDES permit for storm water discharges from Caltrans properties, facilities, and activities.
6. Provision F.1 of the Permit required that Caltrans reevaluate and revise its BMP Program in the SWMP to meet Permit requirements for reducing the discharge of pollutants in discharges from its MS4s to the maximum extent practicable (MEP) or, where appropriate, to use Best Available Technology and Best Conventional Technology (BAT/BCT) and to meet water quality standards.
7. Provision F.2 of the Permit required Caltrans to submit a revised SWMP within 90 days of the adoption of the Permit on July 15, 1999, subject to the approval of the SWRCB.
8. The SWRCB and Caltrans negotiated terms of the SWMP through March 2001.

9. Provision F.2 of the Permit directs Caltrans to continue implementing RWQCB requirements until the statewide SWMP is approved by the SWRCB. Approving the SWMP would allow Caltrans to focus its efforts on complying with only one MS4 permit and SWMP.
10. Approving the SWMP as revised by SWRCB staff would eliminate further delays in Caltrans' implementing its statewide SWMP and allow the SWRCB and RWQCBs to begin enforcing it.
11. SWRCB has coordinated the review, comments, recommendations, and all meetings regarding the SWMP and Permit with representatives of the RWQCBs, and the RWQCBs have endorsed the revised SWMP and encouraged the SWRCB to approve the SWMP as revised.
12. SWRCB staff submitted a draft of the proposed revisions to Caltrans and other interested parties on January 30, 2001 and allowed those parties to provide comments and concerns regarding the final draft SWMP. SWRCB staff met with Caltrans on a number of occasions since January 30, 2001 to discuss and resolve issues regarding SWRCB staff's proposed revisions to the statewide SWMP.
13. SWRCB distributed a letter on March 20, 2001 notifying all interested parties that the final proposed revised SWMP was available for review.
14. SWRCB staff held a public workshop to receive comments on the final proposed SWMP, and the SWMP has been revised to incorporate pertinent comments.

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves the revised statewide Caltrans SWMP with the following changes:

In Section 4.4.2 entitled "Retrofit Opportunities" add the language "and in other instances in which retrofit is recommended by the RWQCB" at the end of the first sentence of this section.

In Appendix B, add the following language as the last paragraph in Section B.2.1 "Caltrans will be in violation of its Permit if it does not submit approvable revisions to the maintenance BMPs. In the event that Caltrans does not submit approvable revisions to the maintenance section of the SWMP, Appendix B, the Guidelines, and any other related document(s) by January 1, 2002, when notified by the Executive Director or no later than March 1, 2002, Caltrans shall immediately implement the maintenance BMPs listed in Appendix B, Section B.2.2 of the SWMP as revised by SWRCB staff in its January 10, 2001 draft, and revise their submittal to be acceptable to the Executive Director within 60

days of notification or no later than May 1, 2002, whichever date is earlier. Once approved, the revised BMPs will be implemented immediately.”

2. Directs Caltrans to implement the approved revised SWMP.

#### CERTIFICATION

The undersigned, Clerk of the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 17, 2001.

/s/ Tom Howard for  
Maureen Marché  
Clerk of the Board

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/](http://www.waterboards.ca.gov/water_issues/programs/stormwater/)