



Central Valley Regional Water Quality Control Board

18 July 2013

Nolan Swick
Pollution Prevention Program Manager
Beale Air Force Base – 9 CES/CEAN
6601 B Street
Beale AFB, CA 95903

CERTIFIED MAIL
7012 2210 0002 1420 1807

NOTICE OF APPLICABILITY (NOA); STATEWIDE AQUATIC WEED CONTROL GENERAL WASTE DISCHARGE REQUIREMENTS ORDER 2004-0009-DWQ; BEALE AIR FORCE BASE (AFB) DRY CREEK PROJECT, YUBA COUNTY

Our office received a Notice of Intent (NOI) Package on 12 June 2013 from Gregory S. Capra, Deputy Base Civil Engineer for Beale AFB (Discharger), for the Beale AFB Dry Creek Project (Project). To comply with the Terms of this General Order, the NOI Package also included a 24 May 2013 Aquatic Pesticides Application Plan (APAP), a vicinity map, and payment for the first annual fee. Submittal of this NOI Package authorizes discharge of pollutants associated with the application of herbicides. Based on the information in the NOI and the APAP, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff has determined that the Project meets the required conditions for approval under the *Statewide General National Pollutant Discharge Elimination System Permit for the Discharge of Aquatic Pesticides for Aquatic Weed Control in Waters of the United States* (Aquatic Weed Control General Order). Therefore, this NOA confirms coverage under the Aquatic Weed Control General Order. This Project is hereby assigned Aquatic Weed Control General Order **2004-0009-DWQ-R5S-067**. Please reference this number in your future correspondence and submitted documents.

The Aquatic Weed Control General Order (enclosed) may be viewed at the following web address: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0009.pdf. You are urged to familiarize yourself with the contents of the entire document; the Waste Discharge Requirements are contained on pages seven through eleven, and Attachment C prescribes the monitoring and reporting requirements. The project activities shall be operated in accordance with the requirements contained in this NOA, the Aquatic Weed Control General Order, and with the information submitted by the Discharger.

PROJECT DESCRIPTION

The project is located at Beale AFB approximately 10 miles east of the town of Marysville and Yuba City, about 45 miles north of Sacramento. Beale AFB is located on 23,000 acres of grassland and oak woodlands on the eastern edge of the Sacramento Valley floor and the Sierra Foothills within the Dry Creek/Bear River Watersheds. The Discharger is required to control invasive weeds in order to promote native vegetation and wildlife, reduce fire fuel load, and improve pasture forage.

The Discharger is concerned with the growth of aquatic vegetation in the water body of Dry Creek on the property of Beale AFB. The Discharger proposes to use the approved herbicide in

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCÉE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

order to control the growth of the weed called, *Arundo donax* L. or Giant Reed. Giant Reed is an invasive species that is impacting the fish passage over an acre of Dry Creek that is habitat for special-status anadromous fish.

The Discharger proposes to apply herbicide to Dry Creek identified on the map contained within the APAP and will only be applied directly to the banks of Dry Creek and not to any flowing or non-flowing water. The discharger plans only applying the necessary amounts using the cut-stump method so there is no run-off of pesticides from the cut surfaces. The herbicides will be applied from 1 August to 31 August in accordance with the Best Management Practices (BMPs) required in this NOA and identified in the APAP.

The Discharger is authorized to discharge pollutants associated with the application of the herbicide shown in the following table. If the Discharger uses additional or alternative herbicides the Discharger must submit an amended APAP that includes BMPs to abate and control the discharge of pollutants associated with the proposed herbicide.

Herbicide	Method
Habitat herbicide	Backpack Sprayer

BEST MANAGEMENT PRACTICES

All herbicide applications will be supervised by a California Department of Pesticide Regulation certified applicator that has received training specific to the herbicide products listed in this NOA. The use of the herbicides must be consistent with the Federal Insecticide, Fungicide, and Rodenticide Act pesticide label instructions. BMPs stated in the 24 May 2013 APAP must be implemented. Additionally, all equipment will be in good repair, appropriate for application and detoxified between uses. Pesticides will be mixed in a safe manner according to manufacturer recommendations. All work will cease if winds exceed 10 mph or if other environmental conditions produce a wind drift. Aquatic applications will begin from the downstream end of a project to the upstream end to avoid a buildup of product in the flowing water. A pesticide application log will be maintained, as specified in Section D. 6. Pesticide Application Log, in the Aquatic Weed Control General Order.

RECEIVING WATER LIMITATIONS

Dry Creek is a tributary to Bear River. Bear River has the beneficial uses of Municipal and Domestic Water Supply (MUN), Warm and Cold Freshwater Habitat, Warm & Cold Spawning. Since Bear River is considered a domestic water supply, the Discharger will have to meet the applicable Constituent/Parameter Limitations for the beneficial uses of MUN found in the Waste Discharge Requirements, Section C. Receiving Water Limitations for any herbicide constituents that have been applied.

MONITORING AND REPORTING

The Discharger shall comply with the Monitoring and Reporting Program contained in Attachment C of the Aquatic Weed Control General Order.

Annual Reports must be submitted to our office by **1 March** of each year. Reporting requirements for the Annual Reports are found in Section D. *REPORTING*. Based on the monitoring results, the Discharger shall make recommendations for improvements to the 24 May 2013 APAP including implementation of additional Best Management Practices.

GENERAL INFORMATION AND REQUIREMENTS

To terminate coverage under the Aquatic Weed Control General Order, the Dischargers must submit written notification to the Central Valley Water Board, or State Water Resources Control Board (State Water Board) that the discharge regulated by this Permit has ceased and is no longer necessary.

ENFORCEMENT

Failure to comply with the Aquatic Weed Control General Order may result in enforcement actions, which may include civil liability.

COMMUNICATION

All Annual Reports and questions regarding the permitting aspects of this Aquatic Weed Control General Order, and written notification for termination of coverage under this Order, shall be directed to Josh Palmer of the Central Valley Water Board's NPDES Permitting Unit. Mr. Palmer can be reached at (916) 464-4674 or Joshua.Palmer@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code Section 13320 and California Code of Regulations, Title 23, Sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day.

Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Pamela C. Creedon
Executive Officer

Enclosure: General Order 2004-0009-DWQ (Discharger only)

cc: Dave Smith, U.S. Environmental Protection Agency, Region IX, San Francisco
Phil Isorena, Division of Water Quality, State Water Board, Sacramento