

## State Water Resources Control Board

DEC 18 2014

Mr. G. Scott McGowen  
Chief Environmental Engineer  
Department of Transportation  
P.O. Box 942873, MS-27  
Sacramento, CA 94273-0001

SUBJECT: COMMENTS ON THE DRAFT COMPLIANCE PLAN FOR AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE FROM THE DEPARTMENT OF TRANSPORTATION

Dear Mr. G. Scott McGowen:

The State Water Resources Control Board (State Water Board) received the Areas of Special Biological Significance (ASBS) draft Compliance Plan from the Department of Transportation (Caltrans) dated September 20, 2013. A draft compliance plan is required under section I.A.3.b of Attachment B of the State Water Board's Resolution No. 2012-0012 *Approving Exceptions to the California Ocean Plan for Selected Discharges into Areas of Special Biological Significance, Including Special Protections for Beneficial Uses, and Certifying a Program Environmental Impact Report (General Exception)*. Attachment B in the General Exception contains the Special Protections which specify conditions that must be met for compliance, including the requirement to submit a draft Compliance Plan.

State Water Board staff has reviewed Caltrans' draft Compliance Plan and provides the following comments:

1. **Locations of Sampling Sites:** The Special Protections do not contain a specific requirement to list all core discharge locations, although it is encouraged and helpful. Table A-1 in the draft Compliance Plan contains a list of all ASBS Priority Discharge Locations from the Caltrans NPDES Permit, Attachment III. Since some monitoring sites have changed due to safety concerns, please update this table/list as necessary to reflect the correct discharge locations.
2. **Compliance and Implementation schedule:** Section I.A.3.b requires the final Compliance Plan to include a schedule for structural controls based on results of the runoff and the receiving water monitoring to be submitted within 30 months from the effective date of the General Exception, March 20, 2012. Section I.A.3.d stipulates that any structural controls identified in the final Compliance Plan be operational within six years of the effective date.

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We understand that Caltrans has not yet finished receiving water and core discharge monitoring and these results may change which structural controls are deemed necessary to comply with the Special Protections. In the final Compliance Plan, please include a description and schedule for any additional projects to be implemented and operational by the compliance deadline of March 20, 2018. If this compliance deadline cannot be met, additional information is required to support an extension.

We appreciate the efforts of Caltrans on the draft Compliance Plan and will continue to collaborate to resolve the comments mentioned in this letter as needed. By September 20, 2015, please submit the final Compliance Plan for approval by the State Water Board Executive Director and that addresses the above comments.

For further questions pertaining to this subject matter, please contact Dr. Maria de la Paz Carpio-Obeso, Ocean Unit Chief, at (916) 341-5858 or [MarieLaPaz.Carpio-Obeso@waterboards.ca.gov](mailto:MarieLaPaz.Carpio-Obeso@waterboards.ca.gov).

Sincerely,



Victoria A. Whitney, Deputy Director  
Division of Water Quality

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