

# Statewide Stormwater Permit Update

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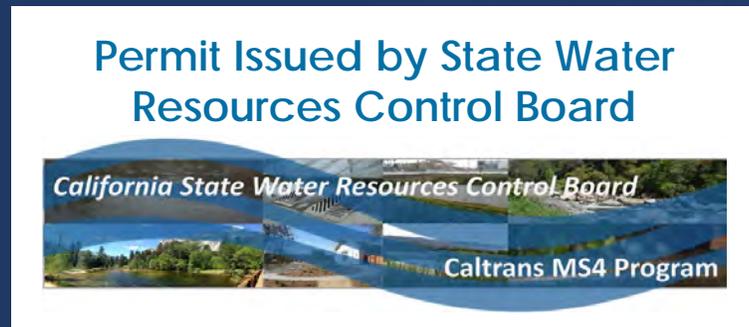
Division of Environmental Analysis

August 18, 2021

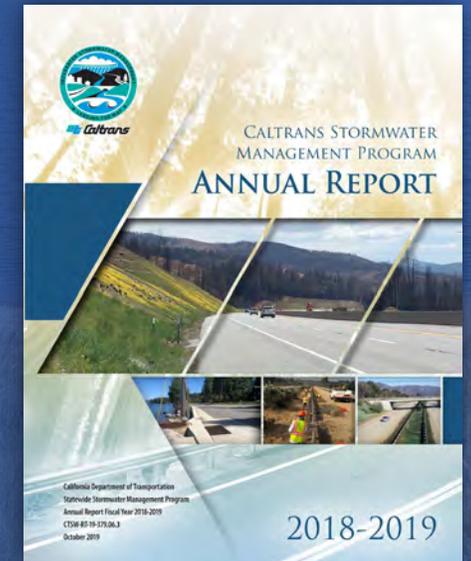


# Regulatory Background

- Regulates discharges of stormwater and non-stormwater
- Compliance with Construction & Industrial General Permits
- Last adopted in 2012; effective in 2013
- Subject to renewal every 5 years
- Expired in 2018; Administratively extended until effective date of reissued permit
- Reissuance to implement existing regulatory requirements, not included in the current 2012 NPDES permit
- Annual reporting requirements



Stormwater Management Plan,  
Guidance Documents, Specs.  
and Training



# Draft Caltrans Permit - Reissuance Timeline

## Timeline



### Major Changes

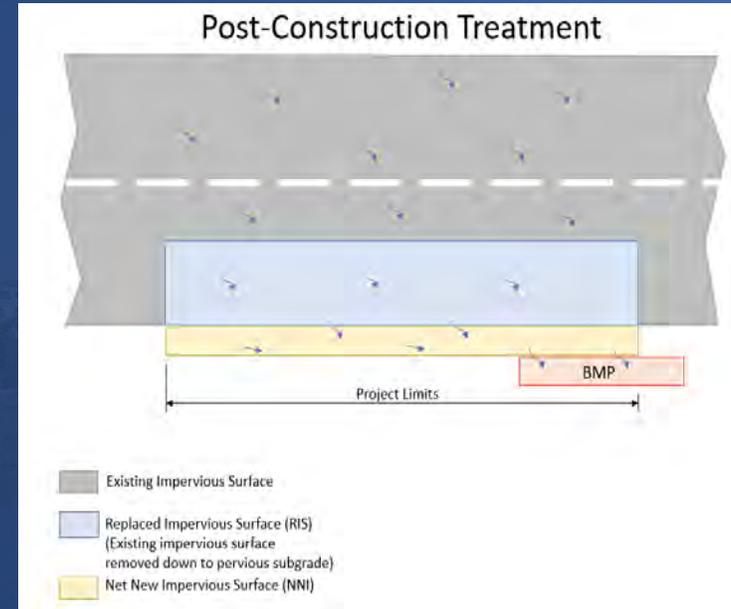
- 💧 Lower thresholds for Post-construction stormwater treatment
- 💧 TMDL Compliance Plan/Municipal Coordination Opportunities
- 💧 Trash Control Compliance Plan
- 💧 *Inter-agency Collaboration have had positive results*

# Major Changes

- Program Administration (SWMP, Policy Dev., Guidance, Training)
- Areas of Special Biological Significance (ASBS) Compliance Plan
- Maintenance (FPPPs, WMP, Increased Inspections)
- **Project Planning & Design (post-construction treatment, maintenance) \***
- Storm Sewer Mapping (updating GIS mapping, treatment BMPs)
- **Total Maximum Daily Loads (TMDLs) Compliance Plan/Municipal Coordination \***
- **Trash Control Compliance Plan \***
- Asphalt Concrete Grindings Reuse Prohibition
- Monitoring (BMP effectiveness – ASBS/TMDLs, Baseline Characterization)
- Reporting (Annual Rpt, District Workplan, TMDL Status Rpt, Trash Annual Rpt)

# Post-construction Treatment – Increased Need

- 600 Projects Delivered Annually
- 9-12% projects (10,000sf -1 acre)
- 57-76 projects, average size 0.6 ac
- Unit cost \$230,000/ac
- Increase by \$8 -\$11 Million/year



## 2012 Permit:

### New development/redevelopment projects

- ✓ Highway facility projects  $\geq 1$  acre of new impervious pavement



## 2021 Draft Permit

### New development/redevelopment projects

- ✓ Highway facility projects  $\geq 10,000$  sq. ft of new impervious pavement

# TMDL Requirements

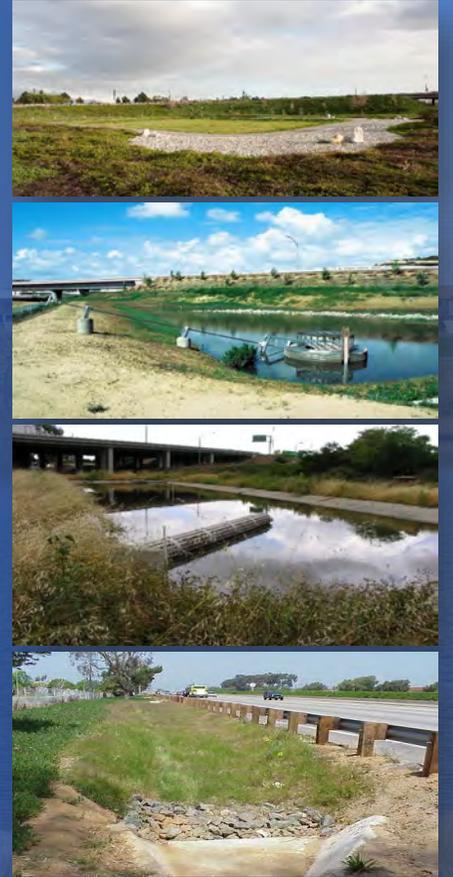
Compliance Requirements	2012 Permit	2021 Permit
<b>Compliance Demonstration</b>	Compliance units (CUs) or acres of right of way treated within TMDL watersheds	Compliance with Waste Load Allocations (WLA) for each TMDL subject to Regional Board approval
<b>1. On-system retrofits</b> (Stand-Alone + Multi-objective)	<=55% (\$130K – 230K/acre)	65% (increased need in dedicated retrofit projects in TMDL watersheds; technical infeasibility; higher costs)
<b>2. Off-system local partnerships</b>	>=35% (\$88K/per acre; allowed credits both on and off-system areas treated)	25% (limited opportunities driven by Caltrans' WLA in the TMDL watersheds)

# TMDL Requirements

- Shifting from CU to WLAs:
  - Develop TMDL Compliance Plan
  - Negotiate with 9 Regional Water Quality Control Boards
  - Compliance Plan subject to public commenting and approval process
  - Compliance Plan - enforceable document

# TMDL Compliance – Increased Needs

- 88 TMDLs by Year 2034
  - Compliance with WLAs
- Needs looking ahead:
  - Increased On-system Retrofits = **75%**
    - Others (OGFC and treatment for replaced impervious surfaces) = 10%
    - Stand-Alone retrofits = 50%
    - Multi-objective = 25%
  - Reduction in Off-system opportunities = **25%**
- Annual need for 2012 Permit Compliance = \$190 Million/year
- Annual allocation = **\$90 to \$120 Million per year**
- Annual Increase for 2021 Permit Compliance = **30 % - 40% Increase**
- Collaborating with State Board to sustain municipal coordination opportunities
- Potential savings by increasing off-system partnerships



# Trash Control Implementation Requirements

- Control trash from all Significant Trash Generation Areas (STGAs) by December 2, 2030



100% Reduction by December 2, 2030



DECEMBER 2030

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

# Trash Control – Increased Needs

- 2017 – Identified 25,000 acres of STGAs statewide
  - 2024 – Submit Revised Trash Assessment
- Compliance strategy:
  - On-system retrofits = 25%
  - Off-system local partnerships = 25%
  - Enhanced Maintenance (litter removal) = 50%
- Annual need for 2012 Permit Compliance
  - SHOPP = \$58 Million/year (D4)
  - Maintenance = \$43 Million/year (D4)
- Annual Increase for 2021 Permit Compliance
  - **SHOPP = 35% - 55% Increase**
  - **Maintenance = 75% - 100% Increase expected**
  - **Leverage Clean CA – Litter Eradication Efforts**



# Aligning Compliance Actions with Existing Funding Frameworks



- Continue consultations with State Board:
  - Caltrans to program projects at risk during TMDL Compliance Plan development and approval by State Board.
  - Align permit requirements with Caltrans' statutory responsibilities/project delivery process
  - Promote consistency in the development of compliance actions

Thank You

