February 28, 2014

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street 24th floor
Sacramento, CA 95814

Dear Ms. Townsend:

Subject: Final Draft Order NPDES No. CAS000001, NPDES General Permit for Storm Water Discharges Associated with Industrial Activities.

The Mosquito and Vector Control Association of California represents 64 local vector agencies statewide and works closely with the California Department of Public Health (CDPH) to prevent and control the spread of vectors and vector-borne diseases, as described in the California Health and Safety Code (Section 116110). Extensive monitoring studies conducted by CDPH between 1999 and 2011 have documented that mosquitoes opportunistically breed in structural stormwater Best Management Practices (BMPs), particularly those that hold standing water for over 96 hours. These structures create potential public health concerns including increased risk for mosquito-transmitted diseases such as West Nile virus, and increase the burden on local vector control agencies that are mandated to inspect for and abate mosquitoes and other vectors within their jurisdictional boundaries. These unintended public health consequences can be lessened when structures incorporate design, construction, and maintenance principles developed specifically to minimize standing water available to mosquitoes while having negligible effects on the capacity of the BMPs to provide water quality improvements as intended.

MVCAC, in consultation with CDPH, has carefully reviewed the Final Draft Order NPDES No. CAS000001, NPDES General Permit for Storm Water Discharges Associated with Industrial Activities, dated February 19, 2014, and respectfully requests that the Board strongly consider the addition of specific and concise language that:

- draws attention to the potential unintended consequences associated with stormwater management structures (i.e., mosquito production); specifically, structural treatment control BMPs and

- requires that industrial Dischargers operating under this NPDES General Permit minimize the potential for mosquito production in structural treatment control BMPs capable of holding standing water to the maximum extent practicable.

Requiring industrial Dischargers to consider and minimize mosquito production potential as part of the permitting process ensures that the public health and safety of Californians remains a top priority. Because NPDES stormwater permits regulate the discharge of pollutants, in part, for the benefit of public health, we feel the Board has the responsibility of ensuring that permit requirements do not unintentionally result in other public health threats from disease vectors.

Although we understand that this is not an issue the Board is required to enforce, including such language in the permit should be acceptable and fall under your purview. Our proposed changes follow.

Fact Sheet

It is crucial that stormwater NPDES Permitees are made aware of the potential unintended consequences associated with the implementation of certain stormwater management structures and the public health obligations of owner /operators as defined in the California Health and Safety Code. The State Water Resources Control Board has agreed with CDPH recommendations in the past and added language to the Fact Sheets of recent statewide permits including NPDES Permit No. CAS000003, Order No. 2012-0011-DWQ, State of California Department of Transportation (page 19) and Order No. 2013-0001-DWQ, Small Municipal Separate Storm Sewer Systems (page 38).

We appreciate that the Board has included a reference to the CDPH guidance manual "Best Management Practices for Mosquito Control in California" on page 41of the Final Draft Order NPDES No. CAS000001, NPDES General Permit for Storm Water Discharges Associated with Industrial Activities. However, we request that the Board consider expanding this paragraph to underscore this important public health topic and maintain consistency of content with the aforementioned Orders No. 2012-0011-DWQ and No. 2013-0001-DWQ. The proposed additional language and changes to the existing text are presented below in italics. We also suggest adding the two associated references as footnotes.

Lastly, Dischargers should be aware of the potential unintended public health concerns associated with treatment control BMPs. Extensive monitoring studies conducted by the California Department of Public Health (CDPH) have documented that mosquitoes opportunistically breed in structural BMPs, particularly those that hold standing water for over 96 hours. BMPs that produce mosquitoes create potential public health concerns and increase the burden on local vector control agencies that are mandated to inspect for and abate mosquitoes and other vectors within their jurisdictional boundaries. These unintended consequences can be lessened when BMPs incorporate design, construction, and maintenance principles developed specifically to minimize standing water available to mosquitoes[1] while having negligible effects on the capacity of the structures to provide water quality improvements. The California Health and Safety Code prohibits landowners from knowingly providing habitat for or allowing the production of mosquitoes and other vectors, and gives local vector control agencies broad inspection and abatement powers[2]. This Order requires regulated industrial dischargers to comply with applicable provisions of the Health and Safety Code and to cooperate and coordinate with CDPH and local mosquito and vector control agencies on vector-related issues. Dischargers who install any type of volume-based treatment device are encouraged to consider the *mosquito control* BMPs in *CDPH's* guidance manual published July 2012, "Best Management Practices for Mosquito Control in California" at http://www.cdph.ca.gov/HealthInfo/discond/Documents/BMPforMosquitoControl07-12.pdf.

[1] *California Department of Public Health. (2012). Best Management Practices for Mosquito Control in California. Retrieved on February 26, 2014 from http://www.westnile.ca.gov/resources.php*

[2] *California Health & Safety Code, Division 3, Section 2060 and following.*

We appreciate the opportunity to comment on the Final Draft Order NPDES No. CAS000001, NPDES General Permit for Storm Water Discharges Associated with Industrial Activities and look forward to working with you in the future to ensure that vector concerns are adequately addressed in stormwater NPDES permits to protect the health of all Californians.