

ITEM: 29

SUBJECT: Fresno Metropolitan Flood Control District, City of Fresno, City of Clovis, County of Fresno, and California State University Fresno; Storm Water Discharges From Municipal Separate Storm Sewer System; Fresno County

BOARD ACTION: *Consideration of Storm Water NPDES Permit Renewal (NPDES Permit No. CA0083500)*

BACKGROUND: The Fresno Metropolitan Flood Control District (District), City of Fresno, City of Clovis, County of Fresno, and California State University Fresno (CSUF), hereafter jointly referred to as 'Discharger' and individually as 'Permittees', submitted an application requesting renewal of Waste Discharge Requirements (WDRs) Order 5-01-048, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0083500 (Permit) for discharges from the area-wide municipal separate storm sewer system (MS4) to groundwater and to waters of the U.S.

The District owns and operates a municipal separate storm water sewer system (MS4) that includes 158 drainage areas, with all but five of the drainage areas discharging to 153 retention or detention basins. The storm water basins are engineered features between 10 to 40 acres in size, situated at the lowest point in the drainage area, and collect storm water runoff from about one to two square miles of urbanized land. Many of the basins are plumbed together by pipes or canals, so storm water can be moved from basin to basin to avoid flooding and maximize percolation of captured rainfall. Studies by the District indicate that approximately 90% of the rainfall runoff in the metropolitan area percolates into groundwater. Three drainage areas discharge directly to surface water through a pumping station to an irrigation canal. Two of the drainage areas drain by gravity to the San Joaquin River without benefit of any basin storage. Six drainage areas discharge to the San Joaquin, upon release from storm basins. Thirty nine storm water basins discharge to canals. Urban storm water runoff not recharged to groundwater in the storm water basins is discharged to canals of the Tulare Lake Basin. The majority of the canals eventually flow into the Herndon Canal, which can spill into the San Joaquin River outside the MS4 permit area. Some of the canals discharge to the Dry Creek Canal, which flows eventually to the James Bypass, which eventually drains to the Fresno Slough.

During the dry season, the District also conjunctively uses its basins to percolate excess San Joaquin River Water and Kings River Water to replenish the aquifer.

ISSUES:

The Discharger provided some minor comments on the tentative Permit and staff has addressed those comments. The U.S. Environmental Protection Agency also provided comments. Primarily, the U.S. EPA asked staff to clarify in the Fact Sheet the design characteristics of the District's basins to better demonstrate it meets the federal standard of Maximum Extent Practical (MEP), and the status of the San Joaquin River with respect to the Clean Water Act 303(d) list. Staff has provided the requested clarification.

The U.S. EPA also suggested that the Permit boundary be based on the area defined as urban in the 2010 census. Staff did not follow this suggestion because it would omit areas planned for urban growth while including areas erroneously defined as urban (e.g., farmland) by the census. The Permit area defined in the originally circulated Permit provides a larger, more accurate coverage of the urban areas, and the areas master planned for urban growth, in the Fresno metropolitan area.

Staff believes it has resolved all issues with the Discharger and U.S. EPA.

RECOMMENDATION: Adopt the proposed order.

Mgmt. Review _____

Legal Review _____

May 30/3, 2013

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