

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**BOARD ORDER NO. R6T-2005-0026A1
NPDES PERMIT NO. CAG616001**

**AMENDMENT TO WASTE DISCHARGE REQUIREMENTS/NATIONAL
POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**

FOR

**THE CITY OF SOUTH LAKE TAHOE, EL DORADO COUNTY, AND PLACER
COUNTY
STORM WATER/URBAN RUNOFF DISCHARGE**

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Permit History

On October 12, 2005 the Regional Board adopted Waste Discharge Requirements for the City of South Lake Tahoe, El Dorado County, and Placer County Storm Water/Urban Runoff Discharge (Board Order No. R6T-2005-0026, NPDES No. CAG616001) to update previously issued permits that regulate storm water runoff from municipal jurisdictions within the Lake Tahoe Basin.

2. Reason for Action

Based on input from the three municipalities during permit development, Board Order R6T-2005-0026 required the co-permittees to submit comprehensive Storm Water Management Plans on July 15, 2006. El Dorado County and the City of South Lake Tahoe have both chosen to enlist the services of professional consultants to assist in drafting the required plans. Due to funding and contracting schedules, both El Dorado County and the City of South Lake Tahoe were unable to complete the required plans by July 15, 2006. Placer County submitted a plan by the required date, but the submitted material did not meet permit requirements.

The three co-permittees have all demonstrated a desire to develop and implement the required Storm Water Management Plans. El Dorado County and the City of South Lake Tahoe have both submitted detailed plan development schedules showing plan completion no later than May 1, 2007. Placer County has indicated it will be able to revise the submitted

plan to meet permit requirements within the same schedule. To accommodate Storm Water Management Plan development schedules, the plan submittal date must be changed from July 15, 2006 to May 1, 2007.

4. CEQA Compliance

This action is being taken by this regulatory agency to amend an existing permit issued pursuant to the California Water Code and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), in accordance with Title 14 California Code of Regulations, Section 15263.

5. Notification of Interested Parties

The Regional Board has notified the co-permittees and other interested parties of its intent to amend Board Order R6T-2005-0026.

6. Consideration of Public Comments

The Regional Board, in a public meeting, heard and considered all comments pertaining to this Board Order.

IT IS HEREBY ORDERED that the following changes be incorporated into Board Order R6T-2005-0026.

1. On page 26, change the second paragraph of Section VIII to read (deletions in strike out, additions underlined):

At a minimum, each individual SWMP submitted on July 15, 2006 May 1, 2007 shall contain the following information for the following components:

2. On page 30, change the Submittal Date on the third item within the Table of Required Submittals from July 15, 2006 to May 1, 2007.

3. On Page 5, change Section III.F. to read:

The discharge of waste, including wastes contained in storm water, shall not cause a condition of pollution, ~~threatened pollution~~, or nuisance as defined in Section 13050 of the California Water Code.

4. On Page 6, change Section IV.B.5 to read:

5. Uncontaminated ground water infiltration [as defined by 40 CFR 35.2005(204)]

5. On Page 10, change Section V.B.q to read:

p. Chemical Constituents – Ground waters shall not contain concentrations of chemical constituents in excess of the limits specified in California Code of Regulations, Title 22, Tables 64431-A and 64432-A Chapter 15, Article 4, Section 64435, Tables 2 and 4, or in amounts that adversely affect the water for agricultural beneficial uses.

6. On Page 4 of Attachment A, change item 37 to read:

37. “**Restaurant**” means a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC Code ~~5812~~).

7. On Pages 6 and 7 of Attachment A, change item 54(5) and 54(7) to read:

5) Tributaries of waters identified in paragraphs (1) (a) through (5) (d) of this definition;

...

7) “Wetlands” adjacent to waters (other than waters that are themselves wetlands) identified in paragraph (1) (a) through (6) h-f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of Clean Water Act (other than cooling ponds as defined in 40 CFR 423.1122(m), which also meet the criteria of this definition) are not waters of the United States. This exclusion applies ~~supplies~~ only to man-made bodies of water, which neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. ~~[See Note 1 of this section.]~~ Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area’s status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act the final authority regarding Clean Water Act jurisdiction remains with US EPA.

8. On Page 5 of Attachment B, change Paragraph 3 to read:

These requirements are consistent with those outlined in federal regulations (40 CFR 122.26(d)(2)(iv) and will provide the Permittees with the opportunity to develop broad storm water management programs to reduce pollutants to Lake Tahoe and take a “master plan” approach toward storm water project implementation.

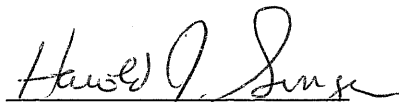
9. On Page 7 of Attachment F, change Sections 5.b.(1) and 5.b.(3) to read:

(1) The current discharger notifies the Regional Board SDRWQCB at least 30 days in advance of the proposed transfer date in paragraph b.(2) of this reporting requirement

...

(3) The Regional Board SDRWQCB does not notify the existing discharger and the proposed discharger of his or her intent to modify or revoke and reissue the Order. A modification under this subparagraph may also be a minor modification under 40 CFR Part 122.63. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph b.(2) of this reporting requirement.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on October 11, 2006.


HAROLD J. SINGER
EXECUTIVE OFFICER