
North Coast Regional Water Quality Control Board

August 19, 2013

Mr. Regan M. Candelario
City Manager
City of Fortuna
621 11th Street
Fortuna, CA 95540

Dear Mr. Candelario:

Subject: Notice of Violation, City of Fortuna Municipal Storm Sewer System
Compliance Inspection Report

File: City of Fortuna, Municipal Storm Water Permit, Phase II MS4
WDID No. 1 12M2000080

The North Coast Regional Water Quality Control Board (Regional Water Board) wishes to acknowledge the City of Fortuna (City) for taking the time and effort to participate in a storm water municipal separate storm sewer system (MS4) permit inspection on May 6, 2013. The main purpose of the inspection was to assess the City's compliance in implementing the *National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004, Water Quality Order No. 2003-005-DW, Waste Discharge Requirements (WDRs) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (General Permit)*.

A copy of the MS4 Compliance Inspection Report (Inspection Report) is attached. Comments incorporated into the Inspection Report are based on information received during the inspection, review of the *Storm Water Management Plan, January 2006 (SWMP)*, and information provided in the June 12, 2013 *Stormwater Program Progress Report (Annual Report)*. The inspection report documents and describes the following General Permit and SWMP violations identified during the inspection as well as violations associated with the Annual Report:

- The Annual Report for the July 1, 2011 through June 30, 2012 reporting period was submitted on June 24, 2013. The report was due September 15, 2012.
- Information provided in the Annual Report was not sufficient for determining compliance with the storm water permit. The report lacked a number of details including:
 - An update on efforts to provide the local schools with storm water pollution prevention information,

- A list of special events attended where storm water quality information was distributed,
 - A summary of calls received by the North Coast Stormwater Coalition hotline,
 - A summary of annual efforts to inspect creeks for illicit discharge/connections, and
 - Annual staff training efforts.
- The City has not developed site-specific SWMPs for City facilities or operations that could adversely impact storm water.

Due to staffing changes, the City's storm water program has experienced setbacks resulting in violations such as those discussed herein. It is essential that the City develop a plan to comply with the General Permit and develop a strategy to ensure effective implementation and compliance.

Additionally, the General Permit requires the City to implement controls to reduce the discharge of pollutants from the MS4 to waters of the United States to the Maximum Extent Practicable (MEP). Based on findings made during the inspection and the review of the Annual Report, Regional Water Board staff believe that the current storm water program is not meeting the MEP standard. Regional Water Board staff will continue to work with the City to improve the effectiveness of the storm water program at reducing pollutants of concern, achieving the MEP standard, and protecting water quality.

The Regional Water Board expects the City to address the above violations and other program comments described in the Inspection Report. Please provide a proposed compliance schedule within 60 days from the date of this letter that includes a time frame for correcting each violation and for addressing each program comment.

If you have any questions regarding this matter, please contact Colleen Hunt of my staff at 707-576-2831 or at Colleen.Hunt@waterboards.ca.gov. In addition, we are available to meet with you to discuss the storm water permit or your storm water management program in further detail.

Sincerely,

David F. Leland, P.E.
Assistant Executive Officer (Acting)

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Enclosure: MS4 Compliance Inspection Report

cc: Mike Johnson, City of Fortuna, mjohnson@ci.fortuna.ca.us
Mike Flockhart, City of Fortuna, mflockhart@ci.fortuna.ca.us