

Regional Water Quality Control Board  
North Coast Region

Executive Officer's Summary Report  
Thursday, April 16, 2020

**ITEM: 2**

**SUBJECT:** Public Hearing on Order No. R1-2020-0006 to consider adoption of proposed Waste Discharge Requirements for Low Threat Discharges to Surface Waters in the North Coast Region, Regionwide General NPDES Permit No. CAG024902  
(*Nicholas Colbrunn*)

**BOARD ACTION:** The Board will consider adoption of the proposed General NPDES Permit and Waste Discharge Requirements Order No. R1-2020-0006 for Low Threat Discharges to Surface Waters (General Order). The General Order will serve as a permit for a period of five years.

**BACKGROUND:** The proposed General Order will replace the existing Order No. R1-2015-0003, that currently applies to low threat discharges and expires on June 20, 2020. The proposed General Order provides a streamlined mechanism to regulate low threat discharges to surface waters of the North Coast Region, including ocean and inland surface waters and enclosed bays and estuaries.

The proposed General Order covers discharges from a variety of activities and is designed to implement provisions of the Water Quality Control Plan for the North Coast Region (Basin Plan) Action Plan for Low Threat Discharges by providing a general permit mechanism for planned, low threat discharges that meet all Basin Plan requirements. According to the Basin Plan, a low threat discharge is generally defined as a planned, short-term and/or minimized volume discharge from a definable project that results in a point source discharge to surface waters and that is managed in a manner that does not threaten the quality or beneficial uses of water without additional dilution.

**DISCUSSION:** Individuals, public agencies, private businesses, and other entities, at times need to discharge to surface waters relatively pollutant-free discharges that pose a low threat to water quality. Low threat discharges from discrete point sources to waters of the United States are, nonetheless, discharges of pollutants, and as such must be regulated under a NPDES permit as required by federal regulations. There are three entities currently enrolled in the existing Order No. R1-2015-0003.

The proposed General Order applies to a broad range of low threat discharges, including discharges from water supply tanks and pipelines and groundwater from well development activities, as well as construction dewatering and discharges from other activities that meet the definition of low threat. Many of these discharges contain pollutants such as sediment, chlorine, or elevated temperature that could have adverse impacts on water quality. With proper management practices, simple treatment and

oversight, these pollutants can be removed or reduced to levels that pose a low or no threat to water quality and do not cause nuisance conditions.

The proposed General Order includes prohibitions, effluent limitations, discharge specifications, and other provisions to minimize or eliminate the threat to water quality of discharges to receiving waters. The proposed General Order includes monitoring and reporting requirements to determine compliance with final narrative and numeric effluent limitations, receiving water limitations, discharge specifications and other provisions. Additionally, the proposed General Order requires enrollees to develop and implement a Best Management Practices (BMPs)/Pollution Prevention Plan to identify and implement site-specific BMPs and pollution prevention measures to reduce or prevent the discharge of wastes and pollutants to receiving waters.

The draft General Order was released on December 13, 2019 for a 45-day public comment period. The public notice was distributed to approximately 200 interested parties with information on how to access the draft General Order on the North Coast Region's [website](#). An agency notice was also distributed to local, state, and federal agencies. A copy of the public notice is included in this agenda package. No comments were received.

The proposed General Order contains some notable changes in comparison to Order No. R1-2015-0003, and are as follows:

- Updated language to ensure it is consistent with the recent changes in the Basin Plan and with applicable state and federal laws and regulations.
- Updated language that implements the U.S. EPA's 2018-Final Aquatic Life Ambient Water Quality Criteria for aluminum in Freshwater with updates to water quality criteria for aluminum.
- Updated language that implements State Water Board Resolution No. 2017-0027, Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions, which establishes Water Quality Objectives for the reasonable protection of people and wildlife that consume fish and apply to all the inland surface waters, enclosed bays, and estuaries of the state that have the applicable beneficial uses.
- Updated language recognizing that the State Water Board adopted Resolution No 2015-0033 (Adopted May 6, 2015) and Resolution 2018-0038 (Adopted August 7, 2018), amending the Water Quality Control Plan for Ocean Waters of California addressing desalination facility intakes and brine discharges and bacteria provisions, respectively. The proposed General Order includes qualifications that desalination facilities applicable for coverage under the reissued permit meet the applicability provision for a small, portable, temporary government run facility. Additionally, the proposed General Order includes

revised surface water limitations that are consistent with numeric Bacteria Provisions that are defined in the amendment to the Ocean Plan.

- Updated language to reflect that the State Water Board adopted Resolution No. 2018-0038 (Adopted August 7, 2018), amending Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California Bacteria Provisions and Water Quality Standards Variance Policy, that establishes Water Quality Objectives for the reasonable protection of primary contact recreation (REC-1) to all the inland surface waters, enclosed bays, and estuaries of the state that have the applicable beneficial uses.

After release of the draft General Order, staff determined a number of revisions were necessary to ensure consistency with the statewide bacteria provisions. These revisions are explained in detail in the attachment No. 2, "Staff Initiated Change Sheet."

**RECOMMENDATION:** Adopt Proposed Order No. R1-2020-0006

**SUPPORTING DOCUMENTS:**

1. Proposed Order No. R1-2020-0006
2. Staff Initiated Change Sheet
3. Notice of Public Hearing