



California Regional Water Quality Control Board Central Valley Region

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13 October 2010

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NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; CITY OF STOCKTON MUNICIPAL UTILITIES DISTRICT, DELTA WATER INTAKE STATION CONSTRUCTION PROJECT, SAN JOAQUIN COUNTY

Our office received a Notice of Intent (NOI) on 28 May 2010 from WGR Southwest, Inc., engineering consultants to the City of Stockton Preston Pipeline General Engineering Contractors (Dischargers) for the new Delta Water Intake Station Construction Project. Based on the information in the NOI, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff has determined that the project meets the required conditions for approval under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order). This project is hereby assigned Low Threat General Order No. R5-2008-0081-080 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference the unique Order No. R5-2008-0081-080 in all future correspondence and documents.

The Low Threat General Order (enclosed) may also be viewed at the following web address: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2008-0081.pdf. You are urged to familiarize yourself with the contents of the entire document. The Low Threat General Order prescribes mandatory discharge monitoring requirements. The project activities shall be operated in accordance with the requirements contained in this NOA, the Low Threat General Order, and with the information submitted by the Dischargers.

CALIFORNIA TOXIC RULE / STATE IMPLEMENTATION POLICY MONITORING

The Low Threat General Order incorporates the requirements of the California Toxic Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005, also known as the State Implementation Policy (SIP).

California Environmental Protection Agency

Screening levels for CTR constituents are found in Attachment B of the Low Threat General Order. Review of your water quality data in comparison to the CTR screening values, showed no reasonable potential to impact the San Joaquin River.

IMPAIRED WATER BODY

The San Joaquin River is listed under the Clean Water Act 303(d) List of impaired water bodies for DDT, Group A Pesticides, Mercury, Toxaphene, and Unknown Toxicity. The Dischargers provided wastewater analyses of the 303(d)-listed constituents as part of the NOI. No 303(d)-listed constituents showed reasonable potential to impact the San Joaquin River.

PROJECT DESCRIPTION

The Discharger proposes to pump water from the Sacramento-San Joaquin Delta (Delta) to develop a new supplemental drinking water source for the community of Stockton to meet the community's demands through 2050. This project is referred to as Delta Water Intake Station (DWIS). The DWIS is proposed as a conjunctive use program that would integrate surface water and groundwater management. The surface water component of the DWIS would include a pipeline with fish screens at the intake facility on the San Joaquin River, new pipelines to convey Delta water to a new water treatment facility, and treated water pipelines to deliver water to the City's existing water distribution system. The groundwater component would include coordinated groundwater and surface water management. Treated Delta water would be injected into the groundwater basin, and when necessary extracted during periods of limited water supply.

The project site is located west of City of Stockton on 8 Mile Road, south of Empire Track Road near Medford Island in the Delta. The proposed project involves constructing pipeline, an intake pump station and a distribution system. Groundwater generated from the construction dewatering activities and storm water runoff from the construction site will be treated and discharged intermittently to the San Joaquin River. Treatment of the groundwater discharges includes using "Baker" Style Settling Tanks and a self contained sand filtration system, with a design capacity to process 24-hours of peak production water. The groundwater discharge rate is estimated to be under 0.25 million gallons per day.

The DWIS construction project duration is from 1 June 2010 through 30 May 2011. Best Management Practices (e.g. installing waddles around the storm drain inlets) will be used to keep fines and suspended solids from entering the storm drain system.

The City of Stockton has fulfilled CEQA requirements for the Delta Water Intake Station Construction Project. The City of Stockton, is declared the Lead Agency for this project and will take responsibility for the implementation to reduce all potentially significant impacts and to mitigate for any permanent environmental loss as found in the, "*CEQA FINDINGS AND MITIGATION MONITORING/ REPORTING PROGRAM,*" with an Initial Study File No. EIR 5-03 and State Clearinghouse No. SCH # 2003112060, dated November 2005.

MONITORING AND REPORTING

All Dischargers must notify Central Valley Water Board staff 24 hours before the start of each new discharge, as soon as noncompliance is anticipated, and when the discharge ceases.

The Dischargers are required to comply with all the monitoring and reporting requirements contained in Attachment E of the Low Threat General Order.

Effluent and receiving water analytical monitoring shall be conducted and the results submitted to the Central Valley Water Board on a quarterly basis unless specified otherwise. The Dischargers must submit quarterly reports, as described in Section X of the Monitoring and Reporting Program, Attachment E of the Low Threat General Order, even if there is no discharge or receiving water flow during the reporting quarter, until the Discharger formally requests that coverage under this Order be terminated.

GENERAL INFORMATION AND REQUIREMENTS

The required annual fee (as specified in the annual billing you will receive from the State Water Resources Control Board) shall be submitted until the discharge is terminated. To terminate coverage under the Low Threat General Order, the Dischargers must submit written notification to the Central Valley Water Board that the discharge regulated by this Low Threat General Order has ceased and is no longer necessary. If a timely written request is not received, then the Dischargers will be required to pay additional annual fees as determined by the State Water Resources Control Board.

ENFORCEMENT

Failure to comply with the Low Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations may be subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. Late reports are subject to an MMP of \$3,000 for each 30 day period late. When discharges do not occur during a quarterly monitoring period, the Dischargers must still submit a quarterly report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

All monitoring report submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Spencer Joplin of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Joplin can be reached at (916) 464-4660 or sjoplin@waterboards.ca.gov.

Questions regarding the permitting aspects of this Low Threat General Order, and written notifications for termination of coverage under this Order, shall be directed to Mike Negrete of the Central Valley Water Board's NPDES Permitting Unit. Mr. Negrete can be reached at (916) 464-4662 or mnegrete@waterboards.ca.gov.



for Pamela C. Creedon
Executive Officer

Enclosure: General Order No. R5-2008-0081 (Dischargers only)

CC LIST

Mr. Dave Smith, U.S. Environmental Protection Agency, Region IX, San Francisco
Mr. Phil Isorena, Division of Water Quality, State Water Board, Sacramento