

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

**MEETING OF JUNE 15 AND 16, 2005
TAHOE CITY, CALIFORNIA**

ITEM: XX

**SUBJECT: ADOPTION OF GENERAL INDUSTRIAL STORM WATER
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
(NPDES) PERMIT AND WASTE DISCHARGE REQUIREMENTS
FOR DISCHARGES ASSOCIATED WITH MARINAS AND
MAINTENANCE DREDGING IN THE LAKE TAHOE
HYDROLOGIC UNIT**

CHRONOLOGY:	DATE	ACTION
	June 6, 1988	Regional Board issues WDRs for Meeks Bay Resort
	June 8, 1989	Regional Board issues WDRs for 9 other marinas in the Lake Tahoe Hydrologic Unit
	November 16, 1990	USEPA issues Federal NPDES regulations for storm water associated with industrial activities
	November 19, 1991	SWRCB adopts statewide NPDES Industrial Activities Storm Water General Permit
	April 17, 1997	SWRCB updates statewide NPDES Industrial Activities Storm Water General Permit
	May 10, 2000	Regional Board adopts region-specific Industrial Stormwater General Permit for Lake Tahoe Marinas. The Marina General Permit includes maintenance dredging for the marinas.

DISCUSSION: In 1987, the amendments to the Clean Water Act established a framework for regulating industrial storm water discharges under the National Pollutant Discharge Elimination System (NPDES) Program. In 1990, the U.S. Environmental Protection Agency published final regulations which required storm water associated with industrial activity that discharges either directly to surface waters or indirectly through municipal separate storm sewers to be regulated by an NPDES permit. These final regulations

also authorized states to issue general or individual permits to regulate storm water discharges. As such, in 1991, the State Water Resources Control Board (SWRCB) adopted the Industrial Activities Storm Water General Permit (General Permit). The General Permit applied to marinas that conducted vessel maintenance, boat washing, and/or vessel fueling. In 1997, the SWRCB replaced the General Permit with an updated Industrial Activities General Permit. Marinas in the Lake Tahoe Basin that conducted vessel maintenance, boat washing, and vessel fueling were required to comply with this Industrial Activities General Permit and its monitoring and reporting requirements.

As early as 1988, the Regional Board had established waste discharge requirements (WDRs) which included monitoring and reporting requirements for all marinas in the Lake Tahoe Basin. The intent of the WDRs was to (1) regulate potential pollution discharges associated with the operation and maintenance of the marina, (2) require marina operators to install and maintain sewage pumpout facilities pursuant to the Harbors and Navigation Code, and (3) design, install, and maintain best management practices (BMPs) related to storm water runoff collection, pretreatment, and/or infiltration capable of treating a discharge from a 20-year, 1-hour design storm from all impervious surfaces.

Complying with the SWRCB's Industrial General Permit and the Regional Board's WDRs was complicated for most marina operators, so the Regional Board decided to create one General Permit covering the requirements of both permits.

In May 2000, the Regional Board adopted the NPDES General Permit for Discharges of Storm Water Runoff Associated with Industrial Activities and Maintenance Dredging at Marinas in the Lake Tahoe Basin (Marina General Permit-Board Order 6-00-36). The Marina General Permit expires five years after its adoption date and is due for renewal May 2005.

Staff has updated the Marina General Permit with more specific Storm Water Pollution Prevention Plan (SWPPP) guidance, including requirements that a Discharger incorporate: 1) minimum Best Management Practices (BMPs) to address stormwater discharges, 2) BMPs to control discharges of non-point sources of fuel and sewage, and 3) additional monitoring requirements. The updated Marina General Permit will also allow Dischargers to conduct complex maintenance dredging or on-going simple maintenance dredging provided criteria are met to consider the project no-impact.

The Marina General Permit will require marina operators to submit a Notice of Intent (NOI), a SWPPP or a BMP Plan, a Monitoring and Reporting Program, and a filing fee to the Regional Board. The Dischargers will also be required to submit an Annual Report and comply

with a Monitoring and Reporting Program. The Monitoring and Reporting Program requires the Discharger to conduct specific water quality sampling and analysis, visual inspections, and annual compliance site evaluations.

Comments were solicited from agencies and individuals (refer to mailing list). One marina operator and one marina consultant provided comments and Regional Board staff responded to and incorporated the comments into the General Permit where appropriate. No unresolved issues remain.

The Marina General Permit proposed for adoption is different from the tentative permit in that the proposed Marina General Permit incorporates the SWPPPs prepared by each existing Discharger covered under the General Permit for the long-term operation and maintenance of the marina. This change was made because a recent court decision requires NPDES permits to incorporate SWPPPs into the adopted permit. The Regional Board will consider amending the General Permit in the future to incorporate revised SWPPPs when submitted by the individual Dischargers.

A Public Notice for this item was published in the Tahoe Daily Tribune, the Sierra Sun, the Reno Gazette Journal, the Sacramento Bee, and the Tahoe World.

RECOMMENDATION:

Adoption of the Marina General Permit as proposed.

Enclosures: 1. Proposed General Permit
 2. Comments received