

ITEM: 12

SUBJECT: City of Fresno; Copper River Ranch, LLC; Consolidated Land Company and Consolidated Industries, Inc.; and Fresno Metropolitan Flood Control District; North Fresno Wastewater Reclamation Facility, Fresno County

BOARD ACTION: *Consideration of NPDES Permit Reopener and Revision, Order No. R5-2006-0090*

BACKGROUND: The North Fresno Wastewater Reclamation Facility (WWRF) is a new facility that is in its start-up phase, and it will provide sewerage service for Copper River Ranch, a 760-acre community development in northeast Fresno. Order No. R5-2006-0090 (NPDES No. CA0085189), adopted 21 September 2006, authorizes the discharge of up to 0.71 million gallons per day of tertiary treated domestic wastewater from the WWRF to the Copper River Country Club golf course, to Fresno Metropolitan Flood Control District (FMFCD) Basin DE, and, if necessary, through a series of FMFCD storm water basins to the San Joaquin River, a water of the United States.

Originally, the project proponent proposed to operate the WWRF treatment system in a direct filtration mode (i.e., no coagulation). Consequently, Order No. R5-2006-0090 contains effluent limitations for turbidity based on the recycled water criteria in Title 22, California Code of Regulations (CCR) for uncoagulated wastewater. On 11 May 2009, the City of Fresno formally requested that the Central Valley Water Board reopen Order No. R5-2006-0090 to include turbidity limitations consistent with the recycled water criteria for coagulated wastewater, as it now anticipates coagulating the wastewater most of the time.

The proposed revisions to Order No. R5-2006-0090 are presented in strike out and redline format and would change the turbidity effluent limitations to operational specifications and include operational turbidity specifications consistent with the recycled water criteria in Title 22, CCR for both coagulated and uncoagulated wastewater. The proposed permit also includes changes where necessary to support the proposed revisions to the turbidity limitations and to correct copy errors that were transmitted in Order No. R5-2006-0090 in 2006.

Written comments on the tentative revised Order were received from the California Sportfishing Protection Alliance (CSPA) and the City of Fresno. No changes have been made in response to the comments received.

ISSUES CSPA is opposed to moving turbidity limitations from the effluent limitations section of Order No. R5-2006-0090 to the special provisions section of the proposed revised Order. CSPA has raised this issue in other recent permits. The State Water Board

rejected this contention in Order WQ 2009-0009 (*City of Stockton*). This issue is discussed in the Response to Comments included in the agenda package.

CSPA also asserts there is reasonable potential to exceed a water quality objective for turbidity and that a turbidity effluent limitation is required. Staff disagrees with CSPA for reasons explained in the Response to Comments.

RECOMMENDATION      Adopt the proposed revised Order No. R5-2006-0012.

Mgmt. Review \_\_\_\_\_

Legal Review \_\_\_\_\_ *LFO*

10 December 2009  
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