

LATE REVISIONS
CITY OF STOCKTON AND COUNTY OF SAN JOAQUIN
MUNICIPAL SEPARATE STORM WATER SYSTEM
SAN JOAQUIN COUNTY
NPDES Permit Renewal (NPDES No. CAS082597)
Regional Water Quality Control Board, Central Valley Region
Board Meeting – 17 April 2015
ITEM # 22

1. Waste Discharge Requirements – Previous Permit Adoption Date, Finding 3

Correct the adoption date for the previous permit as shown in underline/strikeout format below:

3. Prior to issuance of this Order, the Permittees were covered under the NPDES area-wide MS4 permit, Order No. R5-2007-0173 (NPDES No. CAS083470), adopted on 46 December 2007.

2. Waste Discharge Requirements – Updating Storm Water Management Plan during Limited Term Permit. Finding 51.

Clarify that the Storm Water Management Plan (SWMP) has already been developed, and may be revised, during the limited term permit as shown in underline/strikeout format below:

51. The overall goals of the Permittees' SWMP are to a) reduce the degradation of waters of the State and Waters of the United States (U.S.) by urban runoff and protect their beneficial uses, and b) ~~develop and~~ implement an effective SWMP that is well understood and broadly supported by regional stakeholders.

...

3. Waste Discharge Requirements – Status of Dissolved Oxygen Monitoring Requirements, Finding 76

Clarify the implementation status of dissolved oxygen monitoring requirements as shown in underline/strikeout format below:

76. ...Monitoring for these waterbodies was previously ~~will be~~ required by a separate Order.

4. Waste Discharge Requirements – Status of Dissolved Oxygen Plan Submittal, Finding 78

Clarify the implementation status of Low Dissolved Oxygen Plan requirements and correct the listed waterbodies addressed in the plan as shown in underline/strikeout format below:

78. To address the dissolved oxygen impairment and toxic hot spots identified in the Stockton Urban waterways, the Permittees ~~shall developed~~ and implemented a **Low Dissolved Oxygen Plan** for the following waterbodies:

- Lower Calaveras River
- Mormon Slough
- Five-Mile Slough
- Smith Canal
- Mosher Slough
- Stockton Deep Water Ship Channel near McLeod Lake

The plan was ~~shall be~~ included as a component of the SWMP. This Order includes Provisions for Low Dissolved Oxygen consistent with the Basin Plan implementation program and as needed to develop TMDLs to address these impairments. A separate Order

will specify monitoring and assessment requirements for these Provisions. A final report on implementation of the Low Dissolved Oxygen Plan was submitted to the Central Valley Water Board in January 2013.

5. Fact Sheet – Status of Water Quality Based Plan Submittals, Section IV.C

Clarify the implementation status of Water Quality Based Plan requirements as shown in underline/strikeout format below:

C. Total Maximum Daily Loads (TMDLs)

In compliance with the ~~current~~ previous Order No. R5-2007-0142, the Permittees submitted a Pesticide Plan, Pathogen Plan, and Smith Canal/Dissolved Oxygen Plan, which were approved by the Regional Water Board ... The proposed permit requires the Permittees to ~~submit~~ implement a Mercury Plan, Low Dissolved Oxygen Plan, Pathogen Plan, and ~~begin sampling for Sediment Toxicity for pesticides (e.g., pyrethroids)~~ Pesticide Plan. The proposed permit requires continued ~~sampling~~, implementation of BMPs, and assessment of the effectiveness of the BMPs to ensure that they are performing to the MEP.

...

6. Waste Discharge Requirements – Implementation of Pathogen Plan, Finding 79

Clarify the implementation status of the Pathogen Plan requirements as shown in underline/strikeout format below:

79. The Permittees submitted to the Regional Water Board the *City of Stockton San Joaquin County Pathogen Plan* (Pathogen Plan) on 18 August 2004. This work plan met the requirements for a pathogen pollution prevention plan under the previously adopted NPDES area-wide MS4 permit, Order No. R5-2002-0181 (NPDES No. CAS083470). The Pathogen Plan was approved by the Executive Officer on 10 November 2004 and monitoring under this Plan (including any amendments or updates made in accordance with the requirements of this Order and as prescribed in the SWMP) is ongoing.

7. Status of Methylmercury Monitoring, Finding 81

Update the footnote used and clarify the implementation status of methylmercury monitoring requirements as shown in underline/strikeout format below:

81. ...Urban runoff is a source of methylmercury. Urban runoff from four Stockton pump outfalls sampled during the 2003/2004 wet season - Calaveras River Pump Station CR-46, Duck Creek Pump Station DC-65, Mosher Slough Pump Station MS-14, and Smith Canal Pump Station SC-57 - averaged 0.167, 0.103, 0.125, and 0.263 ng/l methylmercury, respectively ~~(Wood et al., 2006a).~~⁸ The methylmercury concentrations ranged from 0.084 to 0.533 ng/l ~~(Wood et al., 2006b).~~⁹

...

A separate Order previously specified ~~will specify~~ monitoring and assessment requirements that must be implemented for characterization and control studies.

Footnote 8:

~~2006.a Wood, M., C. Foe and J. Cooke. Sacramento — San Joaquin Delta Estuary TMDL for Methylmercury, Draft Report for Scientific Peer Review. June 2006. Available at: <http://www.waterboards.ca.gov/centralvalley/programs/tmdl/delta/hg.html#SReports>~~

Wood, M., C. Foe, J. Cooke, and S. Louie. 2010. Sacramento – San Joaquin Delta Estuary TMDL for Methylmercury. Central Valley Regional Water Quality Control Board Staff Report. Sacramento. April 2010.

Table 6.11, 376 p. Available at:

http://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/delta_hg/april_2010_hg_tmdl_hearing/apr2010_tmdl_staffrpt_final.pdf

Footnote 9:

~~2006b. Wood, M., M. Medina-Metzger, J. Cooke and P. Morris. Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Methylmercury in the Sacramento– San Joaquin River Delta Estuary, Draft Staff Report for Scientific Peer Review. June 2006. Available at:~~

~~<http://www.waterboards.ca.gov/centralvalley/programs/tmdl/deltahg.html#SReports>~~
Ibid.

8. Discharge Prohibitions – Non-Storm Water Discharges - Implementation of Response Plan During Emergency Fire Fighting Flows, Provision B.4

Clarify that the response plan for emergency fire fighting flows has already been developed and will not be updated during the limited term as shown in strikeout/underline format below:

4. Emergency fire fighting flows (i.e., flows necessary for the protection of life or property) do not require immediate implementation of BMPs and are not prohibited. However, each Permittee should coordinate with other agencies to ~~develop~~ continue to implement the a response plan to minimize the impact of fire fighting flows to the environment. BMPs must be implemented to reduce pollutants from non-emergency fire fighting flows (i.e., flows from controlled or practice blazes) identified by the Permittees to be significant sources of pollutants to waters of the State. The response plan and BMPs shall be updated as needed ~~and incorporated into the SWMP.~~

9. Program Management - Review of Reporting Formats, Provision D.4.e.ii

Clarify that the reporting formats have been standardized under the previous permit term and will be updated as needed, as shown in strikeout/underline format below:

- ii. The Permittees shall jointly ~~develop and/or~~ update the standardized format(s) for all reports required under this Order (e.g., annual reports, monitoring reports, fiscal analysis reports, and program effectiveness reports, etc.) as needed. The standardized reporting format(s) shall be used by all Permittees and shall include protocols for electronic reporting, specifically data reporting.

10. Program Elements – Industrial/Commercial Program, Provision D.10.a.ii

Clarify that the industrial and commercial facility inventory was developed under the previous permit term and will be updated as needed, as shown in strikeout/underline format below:

- ii. ~~Develop and m-~~ Maintain an inventory of industrial and commercial facilities located within the Permittee's jurisdiction;

11. Program Elements – Planning and Land Development Program, Provision D.16.c

Clarify that the ordinances, standards, and specifications will be updated as needed or as required by the Executive Officer, as shown in underline/strikeout format below:

- c. The Permittees shall revise applicable ordinances/standards/specifications as needed or as required by the Executive Officer, no later than one year after the adoption of the Development Standards by the Regional Water Board.

12. Program Elements – Planning and Land Development Program, Local Government Approval of Development Standards, Provision D.17

Clarify that the County of San Joaquin approved the Development Standards, as shown in ~~strikeout~~/underline format below:

17. The Permittees submitted to the Regional Water Board their revised/functionally equivalent Development Standards, *City of Stockton San Joaquin County Storm Water Quality Control Criteria Plan* (SWQCCP), dated March 2009. The SWQCCP was approved by the City Council on 7 July 2007 and the County Board of Supervisors in February 2010.

13. Program Elements – Planning and Land Development Program, Provision D.18

Clarify that the Development Standards must continually integrate the storm water quality principles as required by the permit, as shown in ~~strikeout~~ below:

18. The Development Standards shall ~~be amended/revised~~ to ensure that the storm water quality and watershed principles, as listed above in 16.a. and b., are integrated.

14. Program Elements – Planning and Land Development Program, Planning Department Coordination, Enforcement and Tracking, Provision D.23.c

Clarify that a geographical information system (GIS) has already been developed under the previous permit and will continue to be used to track projects implementing post-construction best management practices.

- c. Each Permittee shall ~~develop and~~ continue to implement ~~no later than (6 months from this Order's adoption)~~ the following:

15. Technical Guidance and Information for Developers, Provision D.25

Clarify that the Permittees will not need to implement the Development Standards until they are approved by the Central Valley Water Board, as shown in ~~underline~~/strikeout below:

25. Technical Guidance and Information for Developers

Each Permittee submitted a revised/functionally updated Development Standards [e.g., Stormwater Quality Control Criteria Plan (SWQCCP)] consistent with the requirements of this Order as a component of the SWMP ~~during the previous permit term~~. The Development Standards shall include guidelines and provide recommendations for low impact development/ hydromodification strategies for the development community in the Stockton Urbanized Area. The guidelines shall encourage the use of low impact development/ hydromodification strategies and be based on the existing site design control measures identified in the existing Development Standards. ~~Prior to approval of the Development Standards, the early implementation of measures likely to be included in the Development Standards shall be encouraged by the Permittees.~~

16. Monitoring Program – Sediment Toxicity, Provision D.26

Clarify the implementation status of the Sediment Plan requirements as shown in underline/strikeout format below:

27. **Sediment Toxicity:** The Permittees ~~shall developed~~ and implemented a sediment quality-monitoring program (**Sediment Plan**) and submitted a final report for the Sediment Toxicity Plan to the Central Valley Water Board on 15 January 2013. The Sediment Plan ~~shall be~~ was included as a component of the 2009 SWMP and addressed the following criterion:

...

i) ~~The Sediment Plan shall include~~ A time schedule for implementation and assessment.

A final report, Sediment Toxicity, was submitted to the Regional Water Board on 15 January 2013.

17. Monitoring Program – Status of Dissolved Oxygen Plan Submittal, Provision D.28.b

Clarify the implementation status of Low Dissolved Oxygen Plan requirements and listed waterbodies addressed in the plan and correct the list of waterbodies to be consistent with Finding 76 of the Waste Discharge Requirements as shown in underline/strikeout format below:

ii. **Low Dissolved Oxygen:** To address the dissolved oxygen impairment and toxic hot spot, the Permittees ~~shall implemented~~ a Low Dissolved Oxygen Plan for the following waterways:

- Lower Calaveras River
- Mormon Slough
- Mosher Slough
- Stockton Deep Water Ship Channel near McLeod Lake
- Smith Canal
- Five-Mile Slough

~~The plan shall be was a component of the SWMP and shall include the following:~~

~~Based on the data collected by the monitoring program required under a separate previous Order, the Permittees shall identify areas and/or activities, which contribute to low DO concentrations in the receiving water, such as unsewered areas within the Stockton Urbanized Area, natural vegetation, animal and bird waste, discharges of food wastes and other oxygen-demanding substances, or direct discharges from existing collection systems due to sanitary sewer system overflow or blockage.~~ A final report for the Low Dissolved Oxygen Plan was submitted to the Central Valley Water Board in January 2013.

18. Water Quality Based Programs, Provision D.28.c.i

Modify the requirement to allow changes to the Pathogen Plan, as shown in underline/strikeout below:

The Permittees shall address this requirement by completing and implementing the Pathogens Plan that was approved by the Executive Officer in 2004 and shall be consistent with the schedule and work tasks prescribed in the SWMP, and any amendments or updates to the

Pathogen Plan thereto. The Pathogens Plan shall also include annual updates within the Annual Reports.

19. Baseline Monitoring – Dry Weather Field Screening, Provision III.F, Table B, Footnote d –

Modify the monitoring requirements for dry weather field screening to allow monitoring to be conducted twice in a 24-hour period if outfalls are flowing as shown in underline/strikeout format below:

- d. ~~Field screening is conducted during two events per dry season.~~ Approximately 20% of the City outfalls are monitored during dry weather each Permit year. If the outfalls are flowing, they are monitored twice within a 24-hour period.

20. Monitoring Program – Water Quality Based Programs, Provision III.I

Clarify the status of the monitoring and assessment for the water quality based programs and the continual incorporation of data collected in each Annual Report, as shown in underline/strikeout below:

- I. Monitoring and assessment for the water quality based programs (i.e., pesticides, dissolved oxygen, pathogens, and mercury/methylmercury) for the Stockton Urbanized Area ~~will be~~ was addressed in a separate Order. ~~Any~~ City or County generated data obtained by other programs shall continue to be incorporated, evaluated, and included in each annual report.

21. Attachment A – Permit Area Map

Replace Attachment A in the tentative Order with an updated map.