

North Coast Regional Water Quality Control Board

**ORDER No. R1-2012-0100**  
**WDID No. 1B12079RHUM**

**WASTE DISCHARGE REQUIREMENTS**  
**FOR THE ROGUE RIVER INVESTMENTS**  
**BENBOW HOTEL AND RESORT**

**HUMBOLDT COUNTY**

The following Discharger is subject to waste discharge requirements as set forth in this Order:

**Table 1. Discharger Information**

<b>Discharger</b>	Rogue River Investments
<b>Name of Facility</b>	Benbow Hotel and Resort
<b>Facility Address</b>	7000 Benbow Drive
	Garberville, CA

The discharge by the Rogue River Investments Benbow Hotel and Resort from the discharge points identified below is subject to waste discharge requirements as set forth in this Order:

**Table 2. Discharge Location**

<b>Discharge Point</b>	<b>Effluent Description</b>	<b>Site</b>	<b>Discharge Point Latitude</b>	<b>Discharge Point Longitude</b>	<b>Receiving Unit</b>
D-001	Domestic	Hotel	40.066389	-123.787778	Leachfield on State Park Easement
D-002	Domestic	Hotel	40.069722	-123.78666	Leachfield Fairway No. 9
D-003	Domestic	RV Park	40.069167	-123.789167	Leachfield Fairways Nos. 1 and 2
D-004	Domestic	Maintenance Shed	40.042008	-123.470496	Leachfield Fairway No. 3

The Rogue River Investments  
Benbow Hotel and Resort  
Order No. R1-2012-0100  
WDID No. 1B12079RHUM

IT IS HEREBY ORDERED, that Order No. 99-60 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, the Discharger shall comply with the requirements in this Order.

I, Matthias St. John, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on December 6, 2012.

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Matthias St. John, Executive Officer

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**I. FACILITY INFORMATION**

The following Discharger is subject to waste discharge requirements as set forth in this Order:

**Table 3. Facility Information**

<b>Discharger</b>	Rogue River Investments
<b>Name of Facility</b>	Benbow Hotel and Resort
<b>Facility Address</b>	7000 Benbow Drive
	Garberville, CA
	Humboldt County
<b>Facility Contact, Title, and Phone</b>	Ted Boyer, Head of Maintenance-Chief Engineer, 707-923-2124
<b>Mailing Address</b>	445 Lake Benbow Drive, Garberville, CA, 95542
<b>Type of Facility</b>	Onsite Waste Treatment Systems (OWTS) for Domestic Waste
<b>Facility Design Flow Hotel</b>	15,000 gallons per day (gpd)
<b>Facility Design Flow RV Park</b>	14,000 gpd

**II. FINDINGS**

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds:

**A. Basis and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information submitted as part of the Discharger’s application for permit renewal, monitoring data submitted during the term of the Discharger’s previous Order, and other available information. The Fact Sheet (Attachment C) contains facility information, legal authorities, and rationale for Order requirements. The Fact Sheet is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A and B are also incorporated into this Order.

**B. Background and Facility Description.** Rogue River Investments (hereinafter Discharger) is currently discharging pursuant to Waste Discharge Requirements Order No. 99-60. The Discharger submitted a Report of Waste Discharge (ROWD), dated May 3, 2012, and applied for renewal of waste discharge requirements to a combined discharge up to 29,000 gpd of treated wastewater from the Benbow Hotel and Resort

(hereinafter Facility). Additional background information, including a description of the existing and proposed Facility, is included in the Fact Sheet.

- C. California Environmental Quality Act (CEQA).** Waste discharges to land covered under this permit are subject to CEQA requirements. The discharges covered under this permit are exempt as an existing facility.
- D. Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
- E. Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

### **III. DISCHARGE PROHIBITIONS**

- A.** The discharge of any waste not disclosed by the Discharger or not within the reasonable contemplation of the Regional Water Board is prohibited.
- B.** Creation of pollution, contamination, or nuisance as defined by section 13050 of the Water Code is prohibited.
- C.** The discharge of waste shall be kept underground at all times.
- D.** The discharge of waste to the South Fork Eel River and its tributaries is prohibited.
- E.** The average daily flow of waste through the Benbow Hotel system shall not exceed 15,000 gallons per day averaged over a 7-day period.
- F.** The average daily flow of waste through the Benbow Resort (RV) system shall not exceed 14,000 gallons per day averaged over a 7-day period.
- G.** The discharge of waste to land that is not owned by or under agreement to use by the Discharger is prohibited.

### **IV. EFFLUENT LIMITATIONS**

This section of the standardized waste discharge requirements permit is not applicable to the Benbow Hotel and Resort Facility.

### **V. DISCHARGE SPECIFICATIONS**

This section of the standardized waste discharge requirements permit is not applicable to the Benbow Hotel and Resort Facility.

## **VI. SOLIDS DISCHARGE SPECIFICATIONS**

- A.** All sludges and other solid waste removed from liquid wastes shall be collected from screens, sumps, ponds, and tanks as needed to ensure optimal system operation.
- B.** Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of at a legal point of disposal, and in accordance with applicable federal and State regulations.

## **VII. RECEIVING WATER LIMITATIONS**

### **A. Groundwater Limitations**

- 1.** The collection, storage, and use of wastewater or recycled water shall not cause or contribute to a statistically significant degradation of groundwater quality.
- 2.** The collection, storage, and disposal of wastewater shall not cause alterations in groundwater that result in contaminant concentrations that cause nuisance or adversely affect beneficial uses.
- 3.** The collection, treatment, storage, and disposal of wastewater shall not cause alterations of groundwater that result in chemical concentrations in excess of limits specified in Cal. Code of Regs, title 22 section 64435 Tables 2 and 3, limits specified in title 22 section 64444.5, or the Basin Plan.
- 4.** Wastewater collection, treatment, storage, or disposal shall not result in taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.

## **VIII. GENERAL PROVISIONS**

Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities. The Discharger shall comply with the following provisions:

- A. Availability.** A copy of this Order and the associated Monitoring and Reporting Program shall be maintained at the WWTF and be available at all times to operating personnel.

- B. Enforcement.** The Discharger shall implement the project as described in this Order. Violation of any requirements contained in this Order subject the Discharger to enforcement action, including civil liability, under the Water Code.
- C. Severability.** Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.
- D. Operation and Maintenance.** The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with this Order. Proper operation and maintenance includes adequate laboratory control and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order.

The Discharger shall maintain an updated Operation and Maintenance Manual (O&M Manual) for the facility. The Discharger shall update the O&M Manual, as necessary, to conform to changes in operation and maintenance of the Facility. The O&M Manual shall be readily available to operating personnel on-site. The O&M Manual shall include the following:

1. A detailed description of safe and effective operation and maintenance of treatment processes, process control instrumentation, and equipment.
  2. A description of laboratory and quality assurance procedures.
  3. All process and equipment inspection and maintenance schedules.
  4. Description of safeguards to assure that, should there be reduction, loss, or failure of electric power, the Discharger will be able to comply with requirements of this Order.
  5. A description of preventive (fail-safe) and contingency (response and cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. These plans shall identify the possible sources (such as loading and storage areas, power outage, system failure, process equipment failure, tank and piping failure) of accidental discharges, untreated or partially treated waste bypass, and polluted drainage.
- E. Change in Discharge.** The Discharger shall promptly report to the Regional Water Board any material change in the character, location, or volume of the discharge. The Discharger shall submit design proposals for new wastewater treatment systems to the Regional Water Board Executive Officer for review prior to construction and

demonstrate that the system complies with the Water Code and title 27 of the California Code of Regulations. Design and operation plans must include features and best management practices (BMPs) to protect groundwater and prevent exceedances of groundwater quality objectives.

- F. Change in Ownership.** In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of existence of this Order, and the status of the Discharger's annual fee account; a copy of which shall be forwarded to the Regional Water Board.
- G. Vested Rights.** This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Discharger from liability under federal, state, or local laws, nor create a vested right for the Discharger to continue the waste discharge.
- H. Monitoring and Reporting.** The Discharger shall comply with the Monitoring and Reporting Program and any modifications to these documents as specified by the Regional Water Board Executive Officer. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Public Health shall conform to State Department of Public Health guidelines. The Discharger shall comply with the MRP in Attachment B of this Order and any future revisions thereto.
- I. Records Retention.** The Discharger shall maintain records of all monitoring information, including calibration and maintenance records and all strip charts recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer.
- J. Signatory Requirements.** All Report of Waste Discharge applications submitted to the Regional Water Board shall be signed by a principal Executive Officer, ranking elected official, or responsible corporate officer.

  - 1.** For purposes of this provision, a responsible corporate officer means:

    - a.** A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or



3. Access to sample any discharge or monitoring location associated with the WWTF.

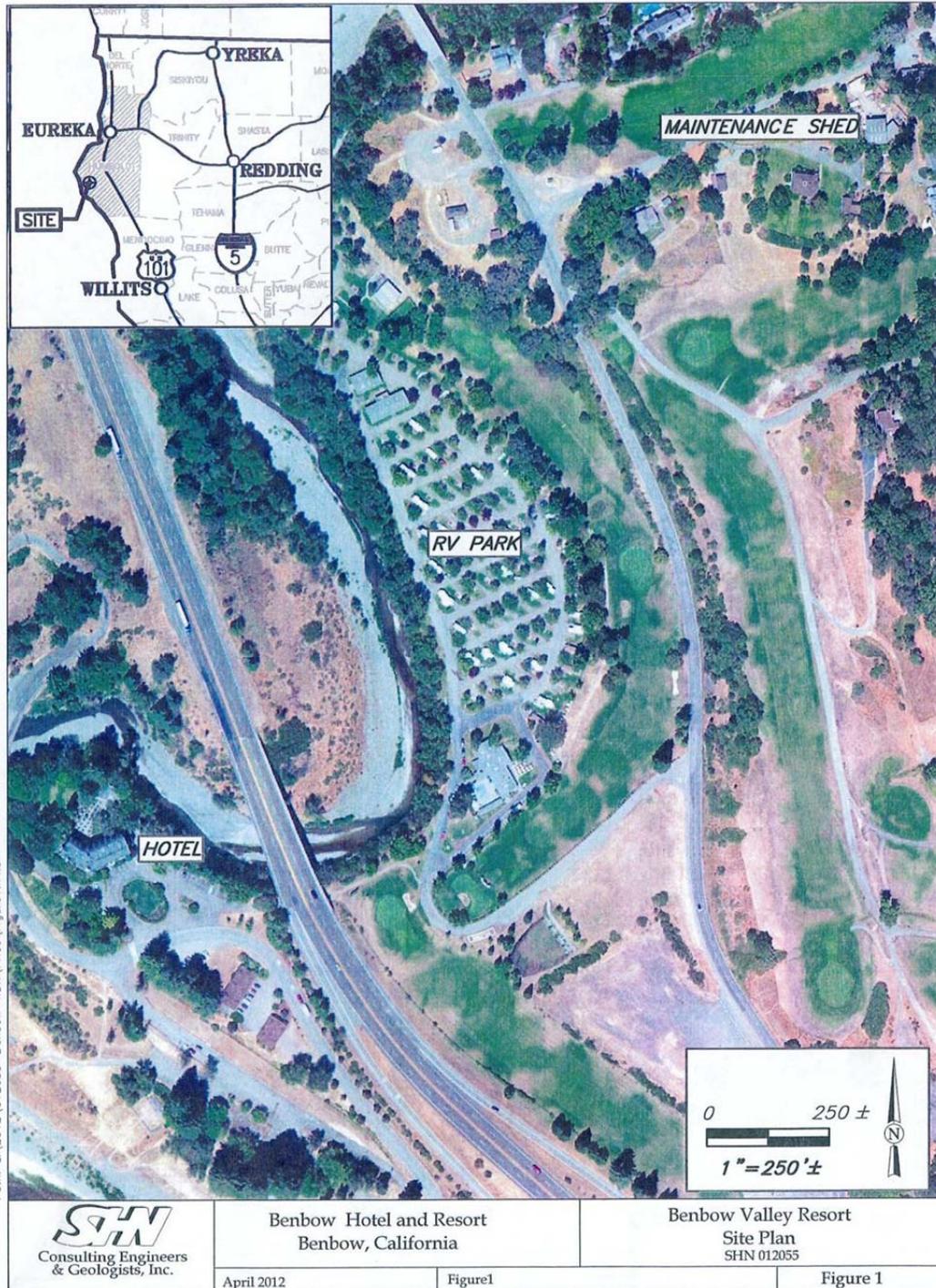
**L. Noncompliance.** In the event the Discharger is unable to comply with any of the conditions of this Order due to breakdown of waste treatment equipment, accidents caused by human error or negligence, or other causes such as acts of nature, the Discharger shall notify the Regional Water Board Executive Officer by telephone as soon as it or its agents have knowledge of the incident and confirm this notification in writing within five (5) business days of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

**M. Revision of Requirements.** The Regional Water Board will review this Order periodically and may revise requirements when necessary.

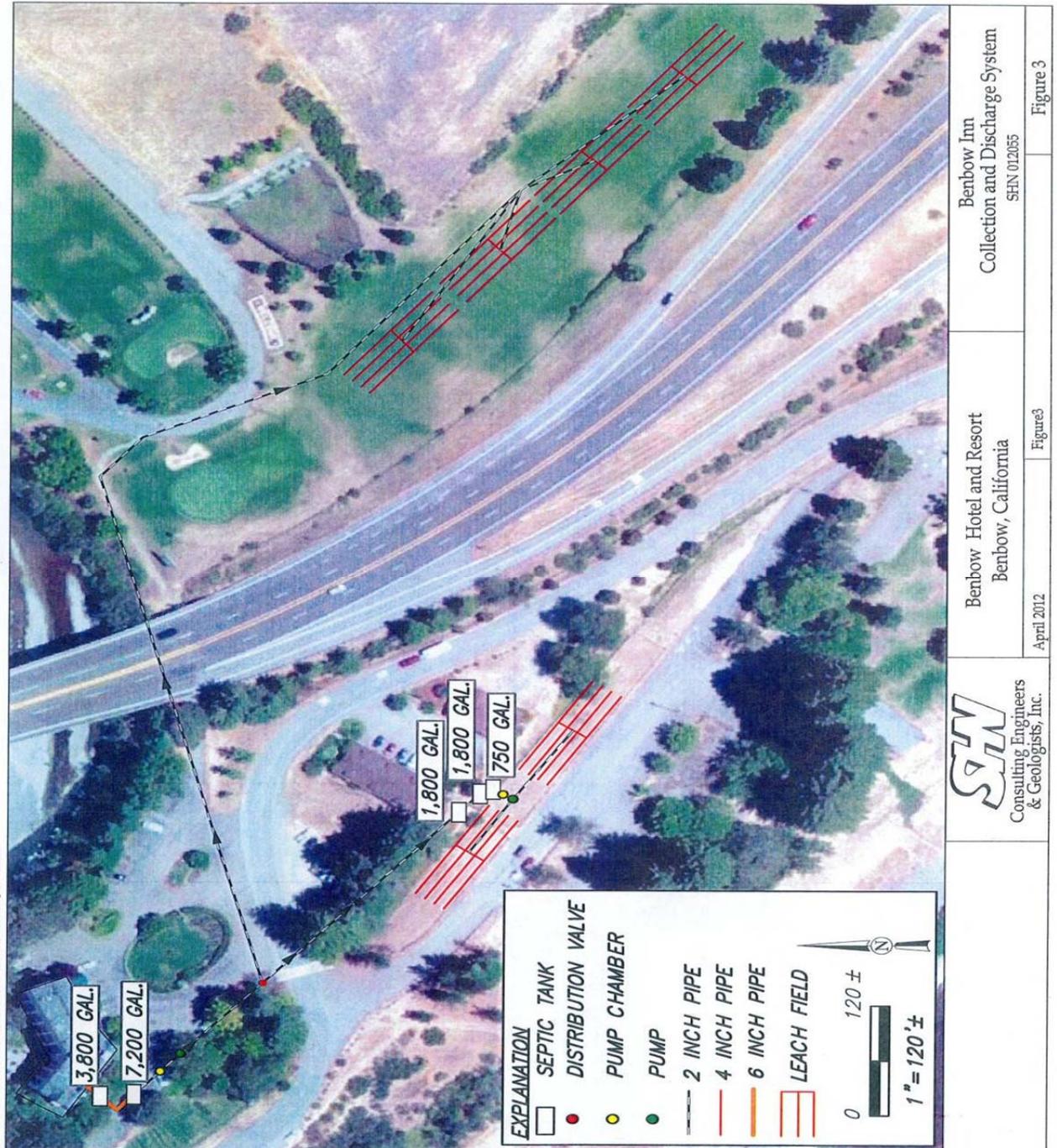
#### **IX. COMPLIANCE DETERMINATION**

This section of the standardized waste discharge requirements permit applies to effluent limitations and is not applicable to the Benbow Hotel and Resort Facility.

**ATTACHMENT A - FACILITY MAPS**









**ATTACHMENT B – MONITORING AND REPORTING PROGRAM (MRP)  
 (Revised November 6, 2015)**

California Water Code (Water Code) section 13267 authorizes the Regional Water Quality Control Board (Regional Water Board) to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement California regulations. Any person failing to furnish technical or monitoring reports or falsifying any information therein is guilty of a misdemeanor, and may be subject to civil liability (Water Code, § 13268). The purpose of this monitoring program is to ensure proper maintenance and long term operations of the onsite wastewater treatment systems (OWTS) serving the Benbow Hotel and the Benbow RV Park.

**I. GENERAL MONITORING PROVISIONS**

- A.** If the Discharger monitors any pollutant more frequently than required by this Order, using test procedures as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the routine and annual self monitoring reports.
- B.** Laboratories analyzing monitoring samples shall be certified by the California Environmental Laboratory Accreditation Program (ELAP), in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports.

**II. MONITORING LOCATIONS**

The Rogue River Investments Benbow Hotel and Resort (Discharger) shall establish the monitoring locations identified in Table B-1 to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

**Table B-1 Monitoring Locations**

<b>Monitoring Location Name</b>	<b>Monitoring Location Description</b>
FLOW-001	Hotel Influent; flow meter prior to disposal of effluent to State Park leachfield and Fairway No. 9 leachfield
FLOW-002	Special Events Center Influent; pump control panel prior to discharge to Fairway No. 9 leachfield
FLOW-003	RV Park Influent; pump control panel prior to discharge to leachfields located on Fairway No. 1 and No. 2
EFF-001	Hotel Effluent; pump chamber prior to discharge to the leachfield located on the State Park Easement and the leachfield located on Fairway No. 9.
EFF-002	RV Park Effluent; pump chamber prior to discharge to leachfields located on Fairway No. 1 and No. 2.

**III. FLOW MONITORING REQUIREMENTS**

The Discharger shall monitor wastewater flow volumes at Monitoring Locations FLOW-001, FLOW-002 and FLOW-003 as follows in Table B-2:

**Table B-2 Flow Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	gpd	Metered or Pump Rate Calculation	Daily

**IV. EFFLUENT MONITORING REQUIREMENTS**

**A. Hotel OWTS Effluent Monitoring**

The Discharger shall monitor effluent at Monitoring Location EFF-001 as follows:

**Table B-3 Hotel OWTS Effluent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Oil and Grease	mg/l	Grab	Semiannual <sup>1</sup>
Suspended Solids	mg/l	Grab	Semiannual <sup>1</sup>
Total Nitrogen	mg/l	Grab	Semiannual <sup>1</sup>
Nitrate as N	mg/l	Grab	Semiannual <sup>1</sup>

**B. RV Park OWTS Effluent Monitoring**

The Discharger shall monitor effluent at Monitoring Location EFF-003 as follows:

**Table B-4 RV Park OWTS Effluent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Suspended Solids	mg/l	Grab	Semiannual <sup>1</sup>
Formaldehyde	mg/l	Grab	Semiannual <sup>1</sup>
Zinc	mg/l	Grab	Semiannual <sup>1</sup>
Phenol	mg/l	Grab	Semiannual <sup>1</sup>
Total Nitrogen	mg/l	Grab	Semiannual <sup>1</sup>
Nitrate as N	mg/l	Grab	Semiannual <sup>1</sup>

<sup>1</sup> The semi-annual monitoring periods are January 1 through June 30, and July 1 through December 30. The semi-annual sampling data collected between January 1 and June 30 shall be submitted with the third quarter Self-Monitoring Report (SMR). The semi-annual sampling data collected between July 1 and December 30 shall be submitted with the first Quarter SMR for the following year.

**V. RECEIVING WATER MONITORING REQUIREMENTS**

This section of the standardized waste discharge requirements monitoring and reporting program is not applicable to the Benbow Hotel and Resort Facility at this time. Installation of groundwater monitoring wells on the State Park Easement, or Fairway Nos. 1, 2, or 9 may be required in the future, dependent upon<sup>1</sup> site specific monitoring results.

**VI. OTHER MONITORING REQUIREMENTS**

**A. Septic Tanks**

1. The sludge and scum levels in the septic tanks shall be checked every 3 months and reported with each quarterly report. At a minimum, the tanks shall be cleaned out whenever;
  - a. The bottom of the scum layer is within three inches of the bottom of the outlet device;
  - b. The sludge thickness equals or exceeds 12 inches thick; or
  - c. Visible amounts of grease are present in the tank.
2. Receipts from a licensed septic hauler from the previous 3 month period shall be submitted in conjunction with quarterly monitoring reports.

**B. Grease Trap**

1. The grease trap shall be checked at the beginning of each month and reported with each quarterly report. At a minimum, the tank shall be cleaned out in accordance with the maintenance and inspection program dated January 4, 1999, or when it is twenty-five percent (25%) full of fats oils and grease (FOG) and solid food waste, whichever comes first; and
2. Receipts from a licensed septic hauler from the previous 3 month period shall be submitted in conjunction with quarterly monitoring reports.

**C. Pumps, Valves And Filters**

The Discharger shall inspect and clean pumps, valves and filters as follows:

**Table B-5 Pump, Valve and Filter Maintenance Schedule**

<b>Unit</b>	<b>Action</b>	<b>Frequency</b>
Hotel OWTS Control Unit	Verify Balanced Event Count	Monthly
Hotel Pump Chamber	Clean and Inspect	Every Other Month
Hotel Tank Pump Chamber	Verify High Level Alarm Operation	Annual
State Park Pump Chamber Filter	Clean and Inspect	Annual
Golf Course Distribution Valves	Verify Proper Operation	Every Other Month

## VII. REPORTING REQUIREMENTS

### A. Quarterly Self-Monitoring Reports (SMRs)

The Discharger shall submit quarterly self-monitoring reports (SMRs) in accordance with the following requirements:

1. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with the waste discharge requirements (WDRs).
2. Quarterly monitoring reports shall include a cover letter that clearly identifies the following:
  - a. Facility name and address;
  - b. WDID number;
  - c. Applicable period of monitoring and reporting;
  - d. Violations of the WDRs (identified violations must include a description of the requirement that was violated and a description of the violation);
  - e. Corrective actions taken or planned; and
  - f. The proposed time schedule for corrective actions.
3. Quarterly SMRs must be submitted electronically to the Regional Water Board at [NorthCoast@waterboards.ca.gov](mailto:NorthCoast@waterboards.ca.gov), on the first day of the second month following each monitoring period (May 1, August 1, November 1, and February 1). The quarterly SMRs shall be signed and certified as required by the General Provisions of this Order. Additionally, a paper copy of the SMR should be submitted to the California State Parks Department at the following address:

California Department of Parks and Recreation  
North Coast Redwoods District  
P.O. Box 2006  
Eureka, CA 954502-2006

### B. Annual Report

The Discharger shall submit an annual report to the Regional Water Board for each calendar year. The report shall be submitted by March 1<sup>st</sup> of the following year. The report shall, at a minimum, include the following:

1. **Monitoring Data Summaries.** Both tabular and, where appropriate, graphical summaries of the monitoring data and disposal records from the previous year. If the Discharger monitors any parameter more frequently than required by this Order, the results of this monitoring shall be included in the calculation and report of the data submitted in the SMR.
2. **Compliance Reporting.** A comprehensive discussion of the Benbow Hotel OWTS and the Benbow RV Park OWTS compliance (or lack thereof) with the Order, and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the WDRs.

**C. Spills and Unauthorized Discharges Notification**

Information regarding all spills and unauthorized discharges that may endanger health or the environment shall be provided orally to the Regional Water Board<sup>2</sup> within 24 hours from the time the Discharger becomes aware of the circumstances and a written report shall also be provided within five (5) days of the time the Discharger.

Information to be provided verbally to the Regional Water Board includes:

1. Name and contact information of caller;
2. Date, time and location of spill occurrence;
3. Estimates of spill volume, rate of flow, and spill duration, if available and reasonably accurate;
4. Surface water bodies impacted, if any;
5. Any adverse impacts observed, if any;
6. Cause of spill, if known at the time of the notification;
7. Cleanup actions taken or repairs made at the time of the notification; and
8. Responding agencies.

Ordered by: \_\_\_\_\_

Matthias St. John  
Executive Officer

November 6, 2015

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<sup>2</sup> The contact number of the Regional Water Board during normal business hours is (707) 576-2220. After normal business hours, spill reporting to CalOES will satisfy the 24 hour spill reporting requirement for the Regional Water Board. The contact number for spill reporting for the CalOES is (800) 852-7550.

**ATTACHMENT C – FACT SHEET**

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## **I. FACILITY INFORMATION**

### **A. Background.**

Rogue River Investments (hereinafter Discharger) is currently discharging at the Benbow Inn pursuant to Waste Discharge Requirements Order No. 99-60. The Discharger submitted a Report of Waste Discharge (ROWD), on May 3, 2012, for renewal of waste discharge requirements for treatment and disposal of municipal wastewater from the Benbow Inn. The ROWD also incorporates the Benbow RV Park and Resort. The Benbow RV Park and Resort is an existing facility, owned and operated by Rogue River Investments and contiguous with the Benbow Inn. This Order incorporates requirements for both Benbow Inn and Benbow RV Park and Resort (hereinafter Facility).

### **B. General Facility Information.**

The Facility operates several on-site wastewater treatment systems. The Benbow Inn wastewater collection and distribution system serves 56 guest rooms, the kitchen, and four bathrooms (employees and guests). Wastewater from the Benbow Inn kitchen flows to a 3,800 gallon grease trap, then to a main series of six (6) 1,200 gallon septic tanks. Wastewater from the 56 guest rooms and four (4) bathrooms flows directly to the main series of septic tanks. Effluent then gravity feeds to a pumping chamber where it is distributed through 2 inch lines to a distribution valve that directs it to one of two leachfields. The leachfield located on Benbow State Park Land also contains two additional 1,800 gallon septic tanks and one 750 gallon septic tank equipped with pump chamber and pumps. In addition to the State Park Leachfield, a new leachfield was installed in 1998 under fairway #9 of the Benbow Valley Golf Course. Effluent may be alternated between the two leachfields to avoid surfacing effluent. Effluent for the Benbow Inn is measured with flow meters to ensure accurate records of wastewater discharged to the leachfields.

The Benbow RV Park and Resort wastewater collection system serves 112 sites for RVs and small cottages, bathrooms, and the clubhouse. Each RV site has a 4-inch diameter sewer hook-up, grouped with five to eight sites, and connected to a common 6-inch header that empties into a septic tank. The clubhouse has a swimming pool, laundry facilities (seven washer and dryers), male and female bathrooms (six toilets and five showers each). A second restroom is located at the back of the RV park, with male and female bathrooms (6 toilets and 5 showers each). Sixty seven sites and the clubhouse facilities empty into a 15,000 gallon septic tank, which serves the front of the RV park. Forty-five sites and the back bathrooms empty into a 10,000 gallon septic tank, which serves the back of the RV park.

Wastewater from both septic tanks gravity drains into a pumping chamber located near the center of the park. Two non-submerged pumps arranged in lead lag configuration are located next to the pumping chamber, and are float activated. The RV park pumping chamber is equipped with a high-level alarm float which notifies the facility manager to ensure no effluent overflows to the adjacent Eel River. The effluent is pumped from the chamber through 2-inch lines to a distribution valve located on the north side of the RV park, which directs the effluent to one of four leachfields located on fairway Nos.1 and 2. Effluent flows for the RV Park and Resort are measured with hours of pump operation based on the pump curve associated with the brand and model of the pumps (Goulds, WE1512HH).

The final wastewater collection and distribution system at the Facility serves the golf course maintenance shed. The system consists of a single bathroom equipped with a single toilet and sink. The system gravity drains to a single 750 gallon septic tank and leachfield located on fairway No. 3.

## II. FINDINGS

- A. Legal Authorities.** This Order serves as Waste Discharge Requirements (WDRs) for discharges to land issued pursuant to section 13263 of the California Water Code (Water Code).
- B. Basin Plan.** As required by Water Code section 13263(a), these WDRs are crafted to implement the Water Quality Control Plan for the North Coast Region (Basin Plan), and in so doing, the Regional Water Board has taken into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other (including previous) waste discharges, the need to prevent nuisance, and the provisions of Water Code section 13241. The Basin Plan contains implementation plans and policies for protecting waters of the basin. The Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Thus, beneficial uses applicable to area groundwater within the Benbow Hydrologic Subarea of the South Fork Eel River Hydrologic Area to be protected are as follows:
1. Municipal and Domestic Supply (MUN)
  2. Industrial Water Supply (IND)
  3. Industrial Process Water Supply (PRO)
  4. Agricultural Water Supply (AGR)
  5. Freshwater Replenishment to Surface Waters (FRSH)
- C. California Water Code.** The California Water Code (Water Code) establishes the authority for the Regional Water Board to establish water quality objectives, impose

discharge prohibitions, and prescribe waste discharge and reclamation requirements. Water Code section 13241 requires each regional board to “establish such water quality objectives in water quality control plans as in its judgment will ensure the reasonable protection of beneficial uses and the prevention of nuisance [...]” The control of pollutants discharged is established through effluent limitations and other requirements in WDR permits. Water Code section 13243 provides that “A regional board, in a water quality control plan or in waste discharge requirements, may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted. Water Code section 13260 et seq. establishes regulations associated with the prescription of waste discharge requirements and Water Code Chapter 7 (section 13500 et seq.) establishes regulations associated with the prescription of reclamation requirements.

It is the Regional Water Board’s intent that this Order shall ensure attainment of water quality standards, applicable water quality objectives, and protection of beneficial uses of receiving waters. This Order therefore requires the Discharger to comply with all prohibitions, effluent limitations, discharge specifications, reclamation specifications, reclamation provisions and requirements, receiving water limitations, standard provisions, and monitoring and reporting requirements. The Order further prohibits discharges from causing violations of water quality objectives or causing conditions to occur that create a condition of nuisance or water quality impairment in receiving waters as a result of the discharge.

- D. California Code of Regulations (CCR).** The discharge authorized herein and the treatment and storage facilities associated with the discharge are exempt from the requirements of title 27, CCR, section 20005 et seq. The exemption, pursuant to section 20090(b) of title 27, allows for the exemption of discharges of wastewater if;
1. The applicable Regional Board has issued WDRs;
  2. The discharge is in compliance with the applicable water quality control plan (Basin Plan); and
  3. The wastewater does not need to be managed as a hazardous waste.
- E. Antidegradation Policy.** The State Water Board established California’s antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board’s Basin Plan implements, and incorporates by reference, the State antidegradation policy. The permitted discharge is consistent with the provisions of State Water Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters in California. This project consists of the operation or minor alteration of an existing facility which involves no change in use beyond that previously existing.

This Order is consistent with the maximum benefit to people of the State because it allows continued operation of an existing wastewater treatment system; and it requires monitoring of the treatment system to ensure proper operation and function.

- F. Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097). The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
- G. Monitoring and Reporting.** Water Code sections 13267 and 13383 authorize the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. A Monitoring and Reporting Program is provided in this Order as Attachment B. The Executive Officer of the Regional Water Board is delegated the authority to modify the Monitoring and Reporting Program, as determined appropriate to protect water quality.

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