California Regional Water Quality Control Board
Santa Ana Region

ORDER No. R8-2005-0038

Amending Order No. 01-34, NPDES No. CAG 618005, Watershed-wide Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with New Developments in the San Jacinto Watershed

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), finds that:

1. On January , 2001, the Board adopted Order No. 01-34, NPDES No. CAG 618005 (San Jacinto Permit), prescribing waste discharge requirements (WDR) for all new developments on five acres or more in the San Jacinto watershed. This permit was an interim measure to control the discharge of pollutants from new developments to Lake Elsinore and Canyon Lake. These two lakes are listed as impaired pursuant to Section 303(d) of the Clean Water Act.

2. On September 17, 2004, the Board approved the guidance document for the Riverside County Water Quality Management Plan for Urban Runoff (WQMP). A WQMP is required for most of the new and significant redevelopment projects within San Jacinto watershed and other areas within this region. The guidance requires that a project-specific WQMP be submitted and approved by the local agencies.

3. The WQMP specifies that new development and significant redevelopment projects must incorporate site design, source control and treatment control best management practices (BMPs) to address potential pollutants and hydraulic conditions of concern.

4. The control measures required under the WQMP are at least as stringent as those required by the San Jacinto Permit. As such, coverage under the San Jacinto permit does not provide any additional water quality protection if the project has an approved WQMP and is covered under the State's General Construction Activities Storm Water Permit, WQ Order 99-08-DWQ. This order amends Order No. 01-34 to exempt those projects with an approved WQMP from obtaining coverage under the San Jacinto Permit.

5. In accordance with California Water Code Section 13389, this amendment to the NPDES permit is exempt from those provisions of the California Environmental Quality Act contained in Chapter 3 (commencing with Section 21100), Division 13 of the Public Resources Code.

6. The Board has notified interested agencies and persons of its intent to amend Order No. 01-34, and has provided them with an opportunity to submit their written views and recommendations.

7. The Board, in a public meeting, heard and considered all comments pertaining to this amendment.

IT IS HEREBY ORDERED that Order No. 01-34 be amended as follows:

1. Add a new provision as item 1 to Section IV, Special Provisions for Construction Activity, as follows:

   1. Coverage under this order is not required if the discharger implements a Water Quality Management Plan approved by the local agency and if the discharger obtains coverage under the General Permit for Storm Water Discharges Associated with Construction Activities, Order No. 99-08-DWQ, NPDES No. CAS000002.

2. Renumber subsequent provisions of Section IV, as appropriate.

3. All other terms and conditions of Order No. 01-34 shall remain unchanged.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on February 3, 2005.

Gerard J. Thibeault
Executive Officer