



# California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



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24 August 2011

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## **NOTICE OF APPLICABILITY (NOA); LIMITED THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0082; RECLAMATION DISTRICT 1000, NATOMAS LEVEE IMPROVEMENTS, PHASE 4 PROJECT, SACRAMENTO COUNTY**

Our office received a Report of Waste Discharge (RoWD) application package on 26 May 2011 from Architecture, Engineering, Consulting, Operations, and Management (AECOM), consultant for Reclamation District 1000 and the Sacramento Area Flood Control Agency (Dischargers) for the Natomas Levee Improvements, Phase 4 Project. Based on the application packet and subsequent information submitted by the Dischargers, we have determined that the project meets the required conditions for approval under the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). This project is hereby assigned Limited Threat General Order No. R5-2008-0082-020 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, R5-2008-0082-020, in your correspondence and submitted documents.

The Limited Threat General Order (enclosed) may also be viewed at the following web address:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2008-0082.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2008-0082.pdf). You are urged to familiarize yourself with the contents of the entire document. The Limited Threat General Order prescribes mandatory discharge monitoring requirements. The project activities shall be operated in accordance with the requirements contained in this NOA, the Limited Threat General Order, and with the information submitted by the Dischargers.

## **CALIFORNIA TOXIC RULE / STATE IMPLEMENTATION POLICY MONITORING**

The Limited Threat General Order incorporates the requirements of the California Toxic Rule (CTR) and the State Water Resources Control Board's, *Policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005, also known as the State Implementation Policy (SIP).

**California Environmental Protection Agency**



Paul Devereux, General Manager

Richard M. Johnson, Executive Director

Screening levels for CTR constituents are found in Attachment B of the Limited Threat General Order. Review of your water quality data in comparison to the CTR screening values, showed no reasonable potential for the discharge to cause or contribute to an exceedence of water quality objectives to Fisherman's Lake. However, due to the proposed flow of 0.35 million gallons per day during a five month period, this discharge has a limited threat to water quality.

Fisherman's Lake is not listed under the Clean Water Act 303(d) List of impaired water bodies. Therefore, no additional effluent limitations or additional monitoring requirements will be added to this Limited Threat General Order.

## **PROJECT DESCRIPTION**

The Dischargers propose to strengthen the Sacramento River East Levee system by adding earthen material to the levee from three nearby borrowing sites located between the Sacramento River and Fisherman's Lake, all located east of the Sacramento River. Excavation will occur at the three borrowing sites identified as the Natomas Marsh, the Angelo K. Tsakopoulos Marsh, and the Sharma Marsh. All three excavation sites extend below the existing groundwater levels, requiring dewatering activities prior to the excavation work. Temporary trenches, approximately 1.5 feet wide and 18 feet in depth, will be constructed at each of the three excavation sites to facilitate dewatering efforts.

The habitat design enhancements for this project include the creation of 38 acres of managed marsh land, additional aquatic habitat and reduction of aquatic weeds from the widening of a portion of the west bank of the Fisherman's Lake Channel, improvements to the Pumping Plant No. 3 Intake Channel, and construction of a recirculation ditch to improve water quality in Fisherman's Lake.

Settling ponds, Baker Tanks, and filtering will be used as necessary to comply with the Effluent and Receiving Water Limitations contained in the Limited Threat General Order R5-2008-0082 prior to discharging into surface waters.

The estimated duration of the project is five months, and the maximum flow from each of the three sites is estimated to be 0.35 million gallons per day. There will be three discharge points, Outfall PZ-FL-3, Outfall PZ-FL-5 and Outfall PZ-FL-6 all identified in a map labeled Exhibit 6 as part of the RoWD application package. The treated groundwater will be directly discharged into Fisherman's Lake.

## **MONITORING AND REPORTING**

The Discharger is required to comply with all the monitoring and reporting requirements contained in Attachment E of the Limited Threat General Order. This includes notifying California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) staff 24 hours before the start of each new discharge, notification of noncompliance or anticipated noncompliance, and quarterly reporting of monitoring results.

Effluent and receiving water monitoring shall be conducted and submitted to the Central Valley Water Board on a quarterly basis. You must submit quarterly reports, even if there is no discharge or receiving water flow during the reporting quarter, until your coverage is formally terminated in accordance with the Limited Threat General Order.

Paul Devereux, General Manager

Richard M. Johnson, Executive Director

### **GENERAL INFORMATION AND REQUIREMENTS**

Discharge of material other than what is described in the application is prohibited.

The required annual fee (as specified in the annual billing you will receive from the State Water Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing if the discharge regulated by this Limited Threat General Order is no longer necessary.

If a timely written request is not received, then the Discharger will be required to pay additional annual fees as determined by the State Water Resources Control Board.

### **ENFORCEMENT**

Failure to comply with the Limited Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. Late reports are subject to an MMP of \$3,000 per each period of 30 days late. When discharges do not occur during a quarterly report monitoring period, the Discharger must still submit a quarterly report indicating that no discharge occurred to avoid being subject to enforcement actions.

### **COMMUNICATION**

All monitoring reports submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Victor Vasquez of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Vasquez can be reached at (916) 464-4623 or [vvasquez@waterboards.ca.gov](mailto:vvasquez@waterboards.ca.gov).

Questions regarding the permitting aspects of your Limited Threat General Order, and written notification for termination of coverage under the Order, shall be directed to Mike Negrete of the Central Valley Water Board's NPDES Permitting Unit. Mr. Negrete can be reached at (916) 464-4662 or [mnegrete@waterboards.ca.gov](mailto:mnegrete@waterboards.ca.gov).

*Original Signed By Kenneth D. Landau for*

Pamela C. Creedon  
Executive Officer

Enclosure: General Order No. R5-2008-0082 (Dischargers only)

cc: U.S. Environmental Protection Agency, Region IX, San Francisco  
Phil Isorena, Division of Water Quality, State Water Board, Sacramento