

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2007-00XX

WASTE DISCHARGE REQUIREMENTS
FOR
BIG VALLEY POWER, LLC
AND
NORRIS AND DOROTHY GERIG

BIG VALLEY POWER SAWMILL AND COGENERATION FACILITY
LASSEN COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Regional Board) finds that:

1. Big Valley Power, LLC is proposing to restart a sawmill and cogeneration power plant facility that was operated by the former Big Valley Lumber Company. Big Valley Lumber Company operated a sawmill and cogeneration facility at the site from the mid-1950's to 2001. The cogeneration power plant was added in 1983. The sawmill and cogeneration facility most recently operated under Board Order 98-232 (NPDES No. CA0081451). The facility ceased operations in 2001 and the property and equipment were auctioned in November 2001 to meet creditor debt. Regional Board Order No. 98-232 was rescinded on January 30, 2004.
2. Big Valley Power, LLC purchased the power plant, property, building, and residual sawmill equipment in April 2004. The plant is located on parcels totaling approximately 110 acres (Assessor's Parcel Nos. 001-130-11, 47,61, 62,73, 74, and 34 and 001-150-34, 33, and 24). Additional land (Assessor's parcel Numbers 001-130-09 and 63) for the northern pond is leased from Norris D. and Dorothy M. Gerig. The plant is located along the north side of Highway 299 approximately ½-mile east of the town of Bieber (Section 14, T38N, R7E, MDB&M) as shown on Attachment A, which is attached hereto and made part of this Order by reference. The latitude and longitude of the plant is 41.13 degrees North Latitude and 121.14 degrees West Longitude.
3. Big Valley Power, LLC and Norris D. and Dorothy M. Gerig are hereafter are referred to as the "Discharger".
4. The project consists of restarting the power plant and sawmill. A projected 50,000 dry tons of wood waste will be burned each year at this steam powered plant to produce 7.5-megawatts (MW) of electrical power for sale to a utility company. The plant includes a boiler feed water treatment system, a boiler, a turbine, a condenser, and a two-cell evaporative cooling tower. The site layout is presented on Attachment B, which is attached hereto and made part of this Order by reference.
5. Plant process water will be supplied from one of six deep water supply wells onsite.

Process water is currently supplied from the cooling tower well. The cooling tower well is screened at approximately 525 feet bgs and has an electrical conductivity of approximately 226 umhos/cm. Approximately 110 gallons per minute (gpm) of process water will be discharged to northern percolation pond. Water-use is summarized below and shown on Attachment C, which is attached hereto and part of this Order by reference:

- a. Approximately 2 gpm of boiler blow-down and 212 gpm of make-up well water are supplied to the cooling tower. Approximately half of the water fed to the cooling tower is lost to evaporation and the remaining (110 gpm) is discharged to the percolation ponds or log deck. The electrical conductivity of cooling tower discharge generally ranges from 700 to 820 umhos/cm.
 - b. Approximately 2 gpm of water are supplied to the boiler. Boiler feed water is treated using a cation/anion water softener (optional) followed by reverse osmosis. Approximately 12 gpm are supplied to the water softener/reverse osmosis system with 2 gpm of the output fed to the boiler and the remaining 10 gpm fed to the cooling tower.
6. The Discharger is currently evaluating alternative disposal options for cooling tower and boiler blowdown discharge.
 7. The facility has two sanitary facilities located on the site. The domestic sanitary waste generated at these facilities is discharged to the Lassen County Waterworks Sewage Treatment ponds located south of the town of Bieber through municipal water works system.
 8. The facility consists of sawmill buildings and appurtenant structures, and a power plant facility. There are 27 structures including the sawmill building, dry kiln building, boiler, chip storage bins, lumber, storage sheds, offices, and the power plant facility. The power plant was constructed in 1983 adjacent to the sawmill and was operational until 2001.
 9. The facility is located within the Big Valley Basin. Big Valley is a broad, flat plain extending approximately 12 miles north to south and 15 miles east to west. The Pit River enters the valley from the north and exits the valley to the south through a narrow canyon gorge. Topography in the vicinity of the facility is generally flat with slopes in the area generally less than five percent. The lowest nearby topographic point is the Pit River located approximately one mile to the west.
 10. There are no natural water bodies within 1500 feet of the facility. The Babcock Ditch runs to the southeast of the facility, and is an agricultural irrigation drain. Historically, storm water discharged from the facility drained into the Babcock Ditch that

intermittently flows into the Pit River. The facility is not located within a FEMA flood zone.

11. Approximately five cubic yards of wash will be generated each day. Fly ash and bottom ash will be stockpiled on site until it is delivered to local farms and tilled into the fields as a soil amendment or disposed of at an approved landfill facility. Historically, ash has been stored in an area adjacent to the power plant prior to shipment offsite. The discharger proposes to continue to store ash in this area but will construct a berm to ensure ash and any storm water falling on the ash remains in the bermed area. As necessary to ensure containment, ash may be placed in metal bins and stored in covered areas of the site.
12. Due to high total dissolved solids and electrical conductivity, the water softener backwash is retained onsite and disposed offsite.
13. Petroleum tankage at the facility totals 9,000 gallons consisting of one 500-gallon gasoline, one 500-gallon diesel tank and one 8,000-gallon diesel tank. All gasoline and diesel will be stored in aboveground tanks capable of holding a minimum of 125 percent of the tank capacity. Turbine oil, hydraulic oil, and motor oils will be kept in 55-gallon drums. Secondary containment will be provided. The containment basin will be capable of holding 110 percent of the total drum capacity. Anti-corrosion chemicals added to the boiler will be kept in polyethylene drums in a separate containment facility. A secondary containment basin capable of storing 110 percent of the total drum volume will surround the polyethylene drums. The polyethylene and 55-gallon drums storage areas will be located under roofed structures to shelter the contents of the drums from the sun and precipitation. Each area of fuel storage will contain a spill cleanup kit in the event of a spill. The Discharger prepared a Spill Prevention Control and Countermeasure Plan (SPCC).
14. Storm water is directed to the water retention ponds or routed through existing drainage ditches to the Babcock Ditch. The general stormwater flow pattern is shown in Attachment D. Precipitation falling in the fuel storage log deck and truck unloading areas will be contained in the log deck ponds. Storm water in the immediate vicinity of the northern retention pond will be stored in the northern pond. A drainage ditch along the eastern property boundary captures storm water from the eastern half of the site. The ditch runs beneath Highway 299 through a culvert. A second culvert is available in the event that the primary route is blocked. The facility is located within the Pit River Hydrologic Unit, Big Valley Hydrologic Area No. 526.60 as depicted on the interagency hydrologic map prepared by the California Department of Water Resources (DWR).
15. The beneficial uses of the Pit River are; municipal and domestic supply (MUN), agricultural supply (AGR), contact (REC-1) and non-water contact (REC-2) recreation, warm (WARM) and cold (COLD) freshwater habitat, spawning (SPWN), and wildlife

habitat (WILD).

16. The beneficial uses of the underlying groundwater are municipal and domestic supply (MUN), agricultural supply (AGR), industrial service supply (IND), and industrial process supply (PRO).
17. The United States Environmental Protection Agency (USEPA), on 16 November 1990, promulgated storm water regulations (40 CFR Parts 122, 123, and 124) which require specific categories of industrial facilities which discharge storm water to obtain NPDES permits and to implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate industrial storm water pollution.
18. The State Water Resources Control Board (SWRCB) adopted Order No. 97-03-DWQ (General Permit No. CAS000001), on 17 April 1997, specifying waste discharge requirements for discharge of storm water associated with industrial activities, excluding construction requirements, and requiring submittal of a Notice of Intent (NOI) by industries covered under the permit. Because all storm water at this facility is not contained on-site, the facility is covered under the General Industrial Storm Water Permit. The Discharger submitted a Stormwater Pollution Prevention Plan dated October 2004 to the State Water Resources Control Board.
19. The Board adopted a Water Quality Control Plan, Fourth Edition, for the Sacramento and San Joaquin River Basins (hereafter Basin Plan). The Basin Plan designates beneficial uses, establishes water quality objectives, and describes an implementation program and policies to achieve water quality objectives for all waters of the Basin. This includes plans and policies adopted by the SWRCB and incorporated by reference, such as Resolution 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters in California (Antidegradation Policy). These requirements implement the Basin Plan.
20. The Antidegradation Policy requires the Board in regulating the discharge of waste to maintain high quality waters of the state unless it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the Board's policies (e.g., quality that exceeds water quality objectives).
21. The Board has considered the Antidegradation Policy and finds that the current discharge may be inconsistent with this policy, and could cause an increase in groundwater constituents above water quality objectives, specifically electrical conductivity and metals. Additionally, it has not been demonstrated that degradation of groundwater by this discharge is consistent with maximum benefit to the people of the State. Therefore, groundwater limitations are necessary for the discharge to be in

accordance with the Basin Plan requirements. To assure that the discharge as permitted herein is consistent with the Antidegradation Policy, the Discharger is required to propose and fully implement a Best Practicable Treatment or Control plan so that the discharge does not create a condition of pollution or nuisance and that the highest water quality will be maintained.

22. This Order establishes background groundwater limitations for the facility, and contains tasks for evaluating groundwater conditions and assuring that Pollutant Minimization and Control measures are implemented. This Order also includes a provision to reopen the Order should it be determined that groundwater degradation is inconsistent with the maximum benefit to the people of the state. Based on the results of the scheduled tasks, the Board may reopen this Order to reconsider groundwater limitations and other requirements to comply with the Antidegradation Policy.
23. The Basin Plan identifies numerical water quality objectives for waters designated as municipal supply. These are the maximum contaminant levels (MCLs) specified in the following provisions of Title 22, California Code of Regulations: Tables 64431-A (Inorganic Chemicals) and 64431-B (Fluoride) of Section 64431, Table 64444-A (Organic Chemicals) of Section 64444, and Table 64449-A (Secondary Maximum Contaminant Levels-Consumer Acceptance Limits) of Section 64449. The Basin Plan's incorporation of these provisions by reference is prospective, and includes future changes to the incorporated provisions as the changes take effect. The Basin Plan recognizes that the Board may apply limits more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses and do not contain waste constituents in concentrations statistically greater than background water quality.
24. The Basin Plan contains narrative water quality objectives for chemical constituents, taste and odor, and toxicity. The toxicity objective requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in plants or animals. The chemical constituent objective requires that groundwater shall not contain chemical constituents in concentrations that adversely affect beneficial uses.
25. The DWR has established standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards). These standards are described in two DWR publications: California Well Standards Bulletin 74-90 (June 1991) and Water Well Standards: State of California Bulletin 94-81 (December 1981).
26. The action to adopt waste discharge requirements for this existing facility is exempt from the provisions of the California Environmental Quality Act (CEQA), in accordance with Title 14, CCR, Section 15301.

27. The discharge authorized herein is exempt from the requirements of Title 27, CCR. The exemption, pursuant to Section 20090(b), is based on the following:
 - a. The Board is issuing these waste discharge requirements,
 - b. These waste discharge requirements implement the Basin Plan and allow discharge only in accordance with the Basin Plan, and
 - c. The wastewater is not hazardous waste and need not be managed according to 22 CCR, Division 4.5, Chapter 11, as a hazardous waste.
28. State regulations pertaining to water quality monitoring for waste management units are found in Title 27, CCR, Section 20380 et seq. These regulations prescribe procedures for detecting and characterizing the impact of waste constituents on groundwater. While the facility has been found exempt from Title 27, the data analysis methods of Title 27 are appropriate for determining whether the discharge complies with the terms for protection of groundwater specified in this Order. As long as the discharge complies with these waste discharge requirements, the exemption remains warranted.
29. The Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
30. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger, its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastewater, including storm water, at locations or in a manner different from that described in Findings Nos. 5, 7, 11, 12 and 14 is prohibited without approval from the Executive Officer.
2. The by-pass or overflow of wastes to surface waters is prohibited.
3. The discharge of water from cooling tower blowdown, boiler blowdown, demineralizer regeneration wastewater, or any other waste of recognizable power plant origin to surface waters or surface water drainage courses is prohibited.
4. The discharge of leachate from ash stockpiles to surface waters, surface water

drainage courses or groundwater is prohibited.

5. The discharge of leachate from wood fuel stockpiles to surface waters, or surface water drainage courses is prohibited.
6. The discharge of ash, bark, sawdust, wood, debris, or any other solid wastes recognized as originating from power plant operations to groundwater, surface waters, or surface water drainage courses is prohibited.
7. The discharge of hazardous or toxic substances, including water treatment chemicals, solvents, or petroleum products (including oil, grease, gasoline and diesel) to surface waters or groundwater is prohibited.
8. The discharge of process water to leachfields is prohibited.
9. Use of process water for irrigation of off-site lands (i.e. lands other than the Assessor's Parcel Numbers listed in this Order) is prohibited.
10. The burning of treated wood, and or the storage of chipped treated wood as fuel are prohibited.

B. Discharge Specifications

1. Neither the treatment nor the discharge shall cause a pollution or nuisance as defined by the California Water Code, Section 13050.
2. The Discharger shall maintain a minimum of two feet of freeboard in the percolation, log deck runoff and evaporation ponds (measured vertically to the lowest point of overflow).
3. Concentrations of the following constituents in the process water discharged to the percolation ponds shall be less than the following limits:

<u>Constituent</u>	<u>Unit</u>	<u>Limit</u>
Electrical Conductivity	umhos/cm	900
Chloride	mg/L	250
Fluoride	mg/L	1
Sulfate	mg/L	250
Aluminum	ug/L	200
Arsenic	ug/L	10
Iron	ug/L	300
Manganese	ug/L	50
Mercury	ug/L	2

4. The pH of process water discharged to evaporation/percolation ponds shall be within 6.5 to 8.5.
5. Discharges from the facility shall not cause degradation of any water supply.
6. The wood ash storage area shall be separated from the wood fuel stockpiles and adequately bermed to prevent runoff to surface waters or surface water drainage courses. As necessary to ensure containment, ash may be placed in metal bins and stored in covered areas of the facility.
7. Ponds shall be managed to prevent breeding of mosquitoes. In particular:
 - a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
8. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year annual return frequency.
9. Process water may be used for irrigation on any of the Assessor's Parcel numbers listed in this order provided:
 - a. The water is not allowed to discharge off site ("site" includes only the areas included in the Assessor Parcel Numbers listed in this Order);
 - b. Irrigation water is applied at not more than agronomic rates; and
 - c. The irrigation plan submitted to the Regional Board Executive Officer in accordance with the Provisions of this order is approved by the Executive Officer.

C. Sludge, Wood Waste, and/or Ash Management

1. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Executive Officer and consistent with Consolidated Regulations for Treatment, Storage, Processing, or Disposal of

Solid Waste, as set forth in Title 27, CCR, Division 2, Subdivision 1, Section 20005, et seq.

2. Any proposed change in sludge, wood waste, or ash use or disposal practice shall be reported to the Executive Officer at least 90 days in advance of the change.
3. Any changes to soil amendment application areas shall be approved by the Executive Officer prior to use.
4. Fly ash removed from the facility shall be:
 - a. If inert waste, tilled into agricultural fields as soil amendment; or
 - b. Disposed in a dedicated unit consistent with Title 27, Section 20200(b); or
 - c. Disposed in a Class III landfill consistent with Title 27 Section 20220(d).

Any other use shall constitute disposal and shall be subject to Title 27, CCR requirements unless approved by the Executive Officer.

D. Groundwater Limitations

Discharges from the facility shall not cause underlying groundwater or groundwater downgradient of the facility to:

- a. Contain waste constituents in concentrations statistically greater than background water quality;
- b. Exhibit a pH of less than 6.5 or greater than 8.5 pH units;
- c. Impart taste, odor, toxicity, or color that creates nuisance or impairs any beneficial use

E. Provisions

1. The Discharger shall complete facility improvements designed to protect water quality, perform water quality studies, and implement an enhanced monitoring program according to the following time schedule. All reports shall be submitted pursuant to Section 13267 of the California Water Code, and shall be prepared by a California Registered Professional Engineer, Geologist, or Engineering Geologist. Any surveying shall be performed by a California registered Land Surveyor or Engineer qualified to perform surveying.
2. **At least 90 days prior to use of process water for irrigation**, the Discharger shall submit an irrigation plan to the Regional Board office for Executive Officer approval. The plan shall include an 8-1/2 x 11 inch map of the area to be

- irrigated, the proposed irrigation rates including supporting information showing that the irrigation rate is within the range of acceptable agronomic rates for the irrigated crop, location and season, description of how the irrigation water will be contained on the irrigated field including a description of any tail water return system, and assurances that excess water will not be discharged to surface waters. Process water may only be used to irrigate lands whose Assessor Parcel Number is included in this permit. Use of pond or process water on parcels not listed in this order requires re-opening of this permit.
3. Within **12 months of Order adoption**, the Discharger shall submit a *Best Practicable Treatment or Control (BPTC) Workplan*. The report shall include a comprehensive evaluation of the processes at the facility that can be improved to minimize the concentration and mass of pollutants in the discharge. The evaluation shall include an assessment of the implementability, effectiveness, and cost of each BPTC. Effectiveness shall be measured by reduction of impacts to groundwater including estimated concentration or mass loading reductions for each BPTC measure. Recommended BPTC measures based on the BPTC evaluation, as well as an implementation schedule shall be proposed. The schedule for implementation shall be as short as practicable, and in no case shall it exceed **12 months** past the Executive Officer's approval of the workplan unless specifically approved by the Executive Officer. The component evaluation, recommended improvements, and implementation schedule are subject to the Executive Officer's approval.
 4. Within **12 months of Order adoption**, the Discharger shall submit a *Background Groundwater Quality Study Report*. For each groundwater monitoring parameter/constituent identified in Monitoring and Reporting Program No. R5-2007-00**, the report shall present a summary of monitoring data, calculation of the concentration in background monitoring wells, and comparison of background groundwater quality to that in wells used to monitor the facility. Determination of background quality shall be made using the methods described in Title 27, Section 20415(e)(10). For each monitoring parameter/constituent, the report shall compare measured concentrations for compliance monitoring wells with the calculated background concentration.
 5. Within **2 years of adoption of this Order**, the Discharger shall submit a technical report that proposes specific numeric groundwater limitations that reflect full implementation of PMC measures. Should numerical limits other than background be proposed, the Discharger shall: 1) describe how the numerical limits were determined considering actual data from compliance monitoring wells and impact reductions through full implementation of PMC; and 2) submit results of a calibrated groundwater model to support its proposal. In addition, the

- technical report shall describe the overall status of compliance with implementation of PMC measures and compliance with all groundwater background limitations.
6. Within **2 years of adoption of this Order**, the Discharger may elect to submit documentation demonstrating that that degradation of groundwater quality above background conditions resulting from activities at the facility is consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the Board's policies (e.g., quality that exceeds water quality objectives). This provision to provide this information is optional and at the discretion of the Discharger.
 7. Upon completion of tasks set forth in Provision Nos. E.3 and E.5, the Board staff shall consider the evidence provided and make a determination regarding whether the Discharger has implemented justified PMCs and the appropriate final numeric groundwater limitations that comply with the Antidegradation Policy. This Order may be reopened to incorporate final numerical limits.
 8. If liners are used as a PMC, the Discharger shall inspect the liners every three years or more often, as recommended by the designer. Visual inspection above liquid surface shall be adequate if a leak detection system is installed. A written report describing the condition of the liners, and any necessary repairs that have been or will be made shall be submitted to the Regional Board within 60 days of the inspection. The report shall also include an assessment of the performance duration of the liner.
 9. The Discharger has prepared a Storm Water Pollution Prevention Plan (SWPPP) containing Best Management Practices (BMPs) to reduce pollutants in the storm water discharges. The Discharger shall amend the SWPPP whenever there is a change in construction, site operation, or maintenance that may affect the discharge of significant quantities of pollutants to surface water or groundwater. The SWPPP must also be amended if there are storm water related violations of this Order, or the Discharger has not achieved the general objectives of controlling pollutants in the storm water discharges.
 10. The Discharger shall comply with the standards contained in the Health and Safety Code, Chapter 6.67, Aboveground Storage of Petroleum. The Spill Prevention Control and Countermeasure Plan shall be updated a minimum of every three years or within 30 days of any significant process change. All updates shall be certified by a Professional Engineer registered in the State of

California and submitted to the Regional Board.

11. The Discharger shall comply with attached Monitoring and Reporting Program No. R5-2007-00***, which is a part of this Order, and any revisions thereto as ordered by the Executive Officer.
12. The Discharger shall report to the Board any material change or proposed change in the character, location, or volume of the discharge or water treatment chemicals used within 30 days of any such change. Notification on water treatment chemical changes shall include information from the manufacturer on toxicity and hazardous classifications.
13. The Discharger shall comply with all the items of the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements," dated 1 March 1991, which are a part of this Order. This attachment and its individual paragraphs are referred to as "Standard Provision(s)."
14. The Discharger is ultimately responsible for the effectiveness of its treatment and control measures in assuring compliance with groundwater limitations, and liable for remediating any impact on groundwater. Degradation of water quality beneath the facility shall be grounds to rescind this Order, reclassify the waste as designated, and require compliance with Title 27 prescribed waste containment standards, or to initiate enforcement, as appropriate.
15. 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 the existence of this Order by letter, a copy of which shall be immediately forwarded to this office.
16. The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Violations may result in enforcement action, including Regional Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.
17. A copy of this Order shall be kept at the discharge facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.
18. The Board will review this Order periodically and may revise requirements when

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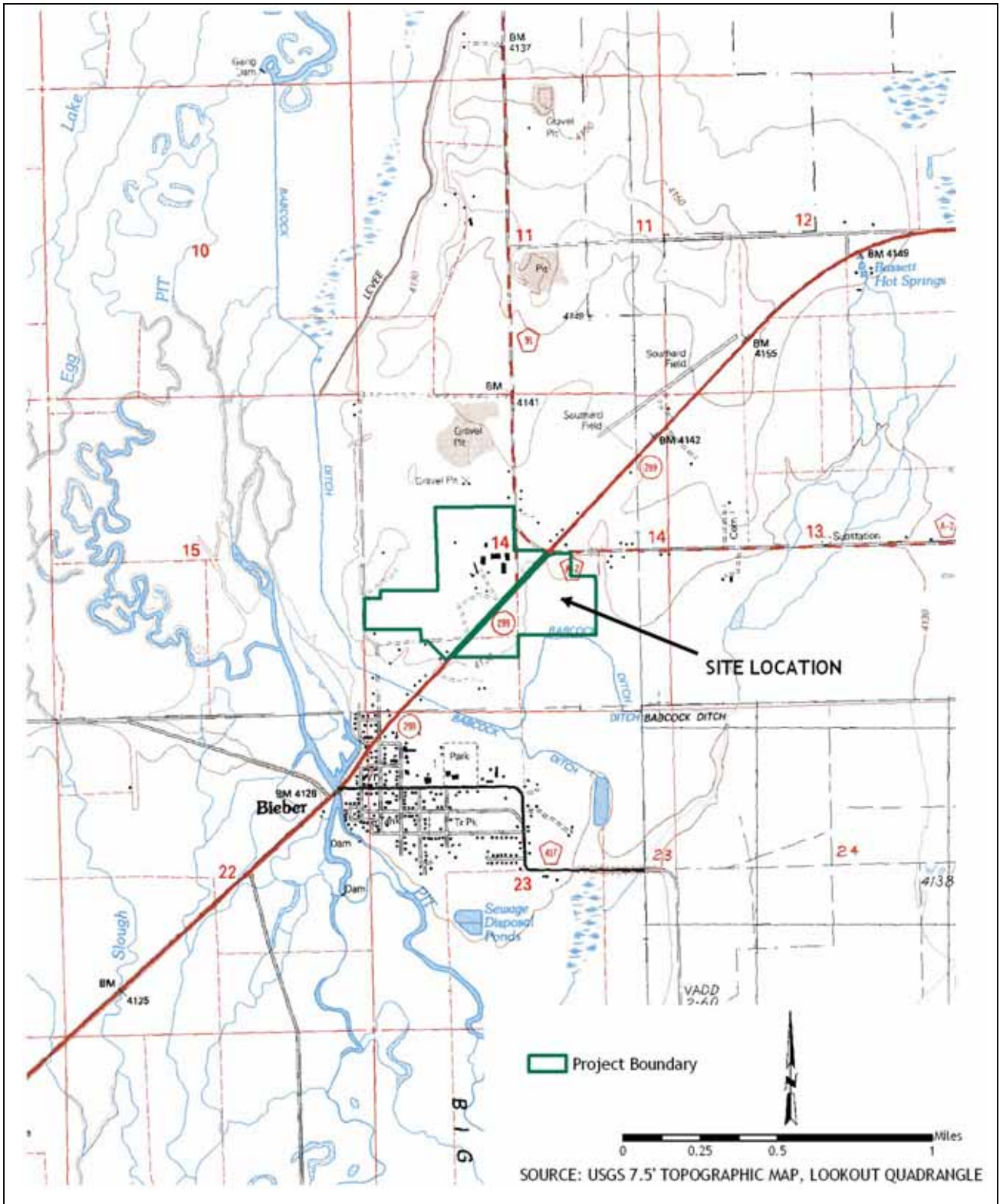
necessary.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on XX June 2007.

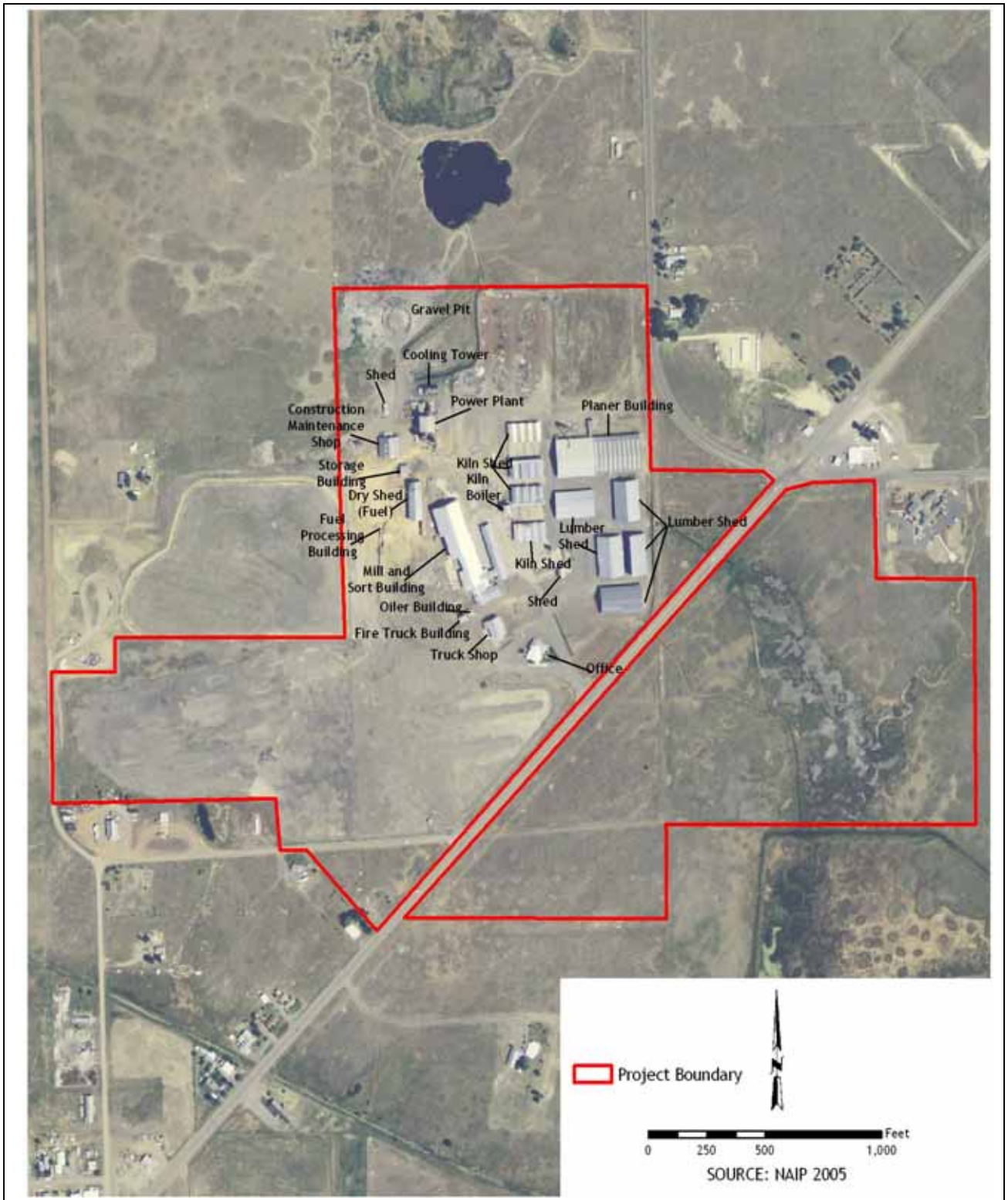
PAMELA C. CREEDON, Executive Officer

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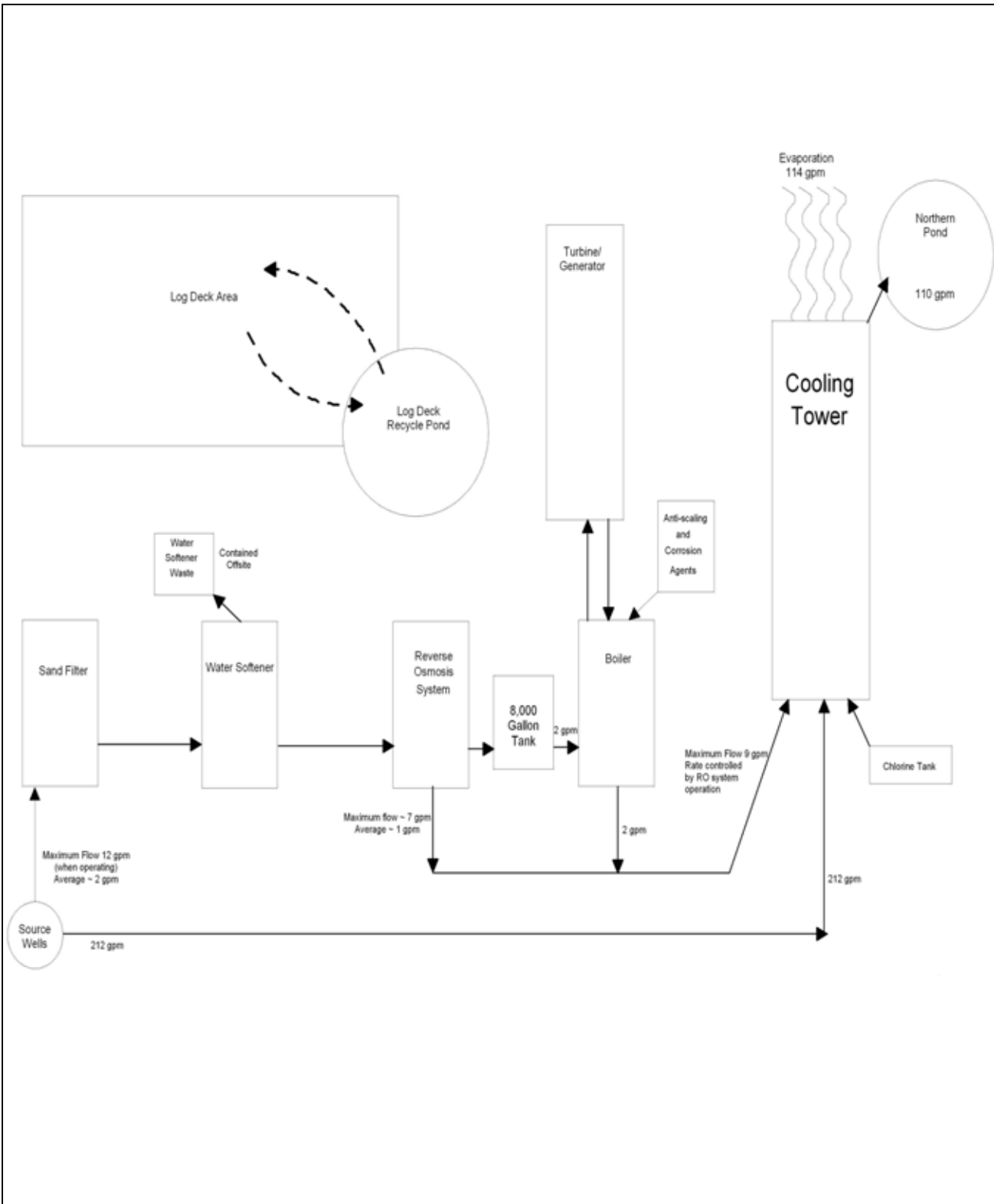
Attachments



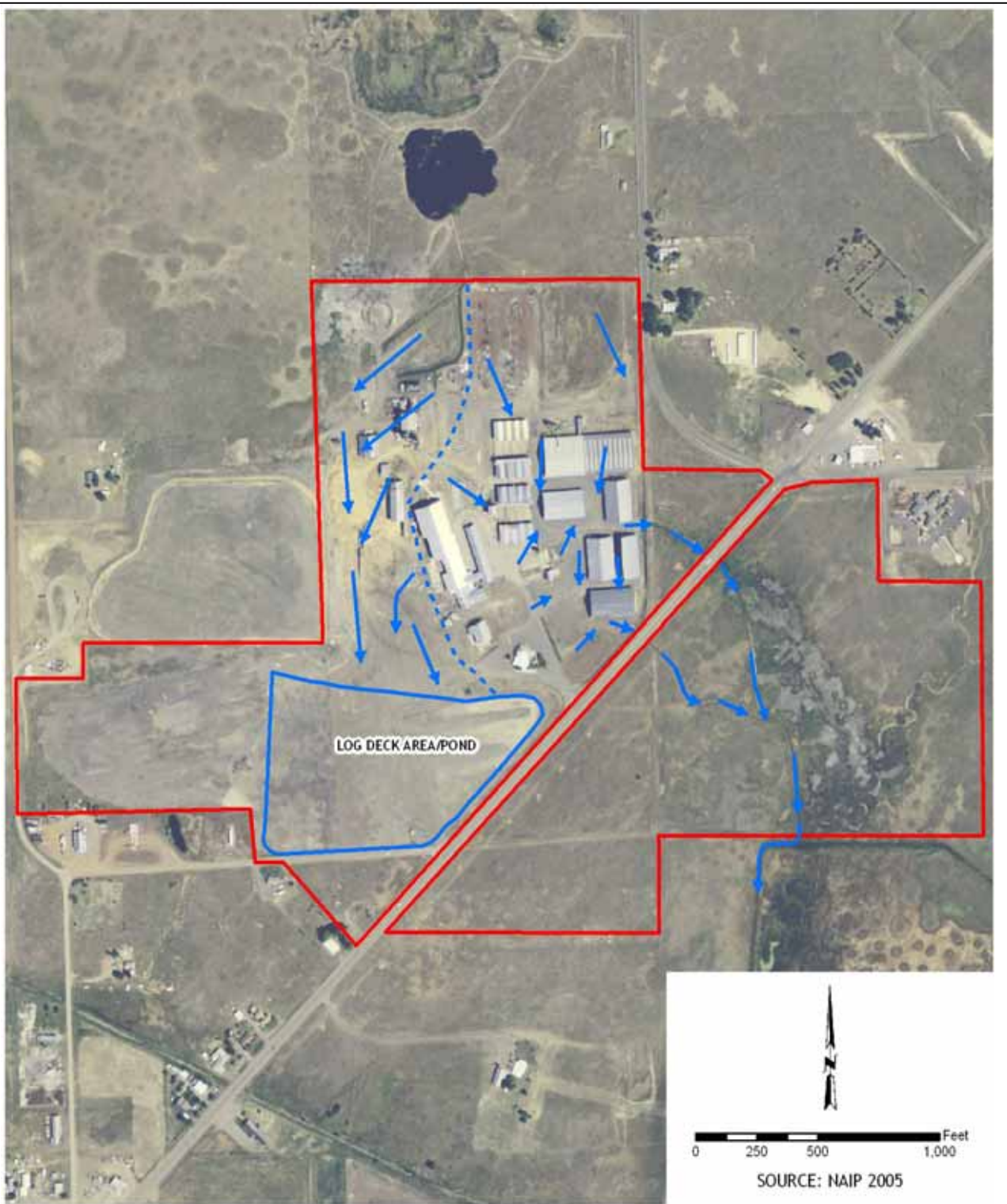
Attachment "A"
 Big Valley Power Sawmill and Cogeneration Facility, Lassen County
 Location Map
 41° 07' 49" North 121° 08' 09" West



Attachment "B"
 Big Valley Power Sawmill and Cogeneration Facility
 Lassen County
 Site Layout



Attachment "C"
 Big Valley Power Sawmill and Cogeneration Facility
 Lassen County
 Process Flow Diagram



Attachment "D"
Big Valley Power Sawmill and Cogeneration Facility
Lassen County
Storm Water Flow Diagram