Central Valley Regional Water Quality Control Board

Proposed Revisions to six Tentative NPDES Draft Permits Scheduled for Consideration at the 19/20 June 2025 Board Meeting

On 4 March 2025, the U.S. Supreme Court issued a decision in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency* (2025) 145 U.S. 704, which challenged some of the limits in National Pollutant Discharge Elimination System (NPDES) permits. The Court ruled that "end result" limitations (i.e. receiving water limitations) are not allowed by the federal Clean Water Act and that NPDES permits must have specific requirements to meet water quality objectives and protect beneficial uses. Based on this ruling, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff are proposing revisions to remove receiving water limitations and revise associated sections of the following six tentative orders that will be considered for adoption at the 19/20 June 2025 Board Meeting:

1. Cold Water Concentrated Aquatic Animal Production Facility Discharges to Surface Waters (CAAP) General Order Renewal, NPDES No. CAG135001 (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/caap_go/caap_go_to.pdf)
2. City of Davis Wastewater Treatment Plant (WWTP) Permit Renewal, Yolo County, NPDES No. CA0079049 (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/davis_wwtp/davis_wwtp_npdes.pdf)
3. City of Stockton Wastewater Recovery Center (WWRC) Permit Renewal, San Joaquin County, NPDES No. CA0079138 (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/cityofstockton/stockton_wwrc_npdes_tent.pdf)
4. City of Vacaville Easterly WWTP Permit Renewal, Solano County, NPDES No. CA0077691 (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/cityofvacaville/vacaville_ewwtp_tent_npdes.pdf)
5. Shasta-Sustainable Resource Management, Inc. Permit Renewal, Shasta County, NPDES No. CA0081957 (https://waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/ssrm/ssrm_npdes.pdf)
6. United States Department of the Interior (USDI) National Park Service, Yosemite National Park, El Portal Wastewater Treatment Facility (WWTF) Permit Renewal, Mariposa County, NPDES No. CA0081759 (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/elportal/nps_elportalwwtf_npdes.pdf)

The Central Valley Water Board developed a technical memorandum, *A Review of Receiving Water Limitations in Six National Pollutant Discharge Elimination System (NPDES) Tentative Permits* (dated 6 May 2025), which provides a detailed analysis of the six NPDES tentative permits listed above to consider whether additional permit conditions need to be included with the removal of their receiving water limitations to meet federal and state regulations for protecting beneficial uses. The following sections propose revisions to each permit based on the findings in this technical memorandum.

1. **COLD WATER CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY DISCHARGES TO SURFACE WATERS (CAAP) GENERAL ORDER, NPDES NO. CAG135001**
   (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/caap_go/caap_go_to.pdf)

   1. **Waste Discharge Requirements**. **Section I.B.2.c Discharger Information, Authorized Discharges**. Revise section I.B.2.c. to state the following:

      c. The discharge shall not be toxic

   2. **Waste Discharge Requirements, Section IV.C Discharge Prohibitions**. Revise section IV.C to state the following:

      The treatment shall not create a nuisance as defined in section 13050 of the California Water Code.

   3. **Waste Discharge Requirements. Section VI.A Receiving Water Limitations, Surface Water Limitations.** Revise Section VI.A. to state the following:

      A. Surface Water Limitations - None

   4. **Waste Discharge Requirements. VII.A.2.e Provisions, Standard Provisions.** Revise Section VII.A.2.e to state the following:

      The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order which has a reasonable likelihood of adversely affecting human health or the environment.

   5. **Waste Discharge Requirements. VIII.B Compliance Determination, Whole Effluent Toxicity Receiving Water Limitations.** Remove section VIII.B.

   6. **Attachment D Fact Sheet Section IV.C.7 Applicable Plans, Policies and Regulations, State and Federal Laws, Regulations, Policies and Plans, Endangered Species Act Requirements.** Revise the second to last sentence in section IV.C.7 to state the following:

      This Order requires compliance with effluent limits and other requirements to protect the beneficial uses of waters of the state, including protecting rare, threatened, or endangered species.

7. **Attachment C Monitoring and Reporting Program, Section IX Other Monitoring Requirements.** Add a new section C between "Priority Pollutant Metals Monitoring" and "Feeding and Production" as follows:

   C. Other Characterization Monitoring

   The Central Valley Water Board has determined that additional monitoring data for ***E. coli*** **(all facilities**) and **un-ionized ammonia** (**only facilities discharging into the Tulare Lake Basin**) are needed to ensure CAAP discharges are protective of beneficial uses in the receiving water. Accordingly, the Central Valley Water Board is requiring, as part of this MRP, that CAAP facilities monitor the upstream receiving water and effluent and analyze the samples for these constituents once during the term of this Order. The monitoring shall occur beginning **on or after 1 January 2027, but no later than 1 January 2029.** CAAP facilities with more than one discharge (EFF-001, EFF-002, etc.) may sample one effluent discharge if the Executive Officer determines the discharge is representative of the entire facility. The monitoring data shall be submitted to the Central Valley Water Board **within 60 days of the final sampling event.** Constituents shall be monitored using analytical methods with sufficiently sensitive reporting levels consistent with the SSM Rule specified in 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv).

   D. Feeding and Production

8. **Attachment D Fact Sheet, Section VI.A Rationale for Receiving Water Limitations, Surface Water.** Revise section VI.A to state the following:

   A. Surface Water Limitations - On 4 March 2025, the U.S. Supreme Court issued a decision in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency* (2025) 145 U.S. 704, which challenged some of the limits in NPDES permits. The Court ruled that "end result" provisions (e.g. receiving water limitations) are not allowed by the federal Clean Water Act and that NPDES permits must have specific requirements to meet water quality objectives and protect beneficial uses. Based on this ruling, no receiving water limitations are included in this Order. The Central Valley Water Board developed a technical memorandum, *A Review of Receiving Water Limitations in Six National Pollutant Discharge Elimination System (NPDES) Tentative Permits* (dated 6 May 2025) which describes both the existing permit provisions and additional updates to this Order that ensure the protection of beneficial uses in the receiving waters.

9. **Attachment D Fact Sheet, Section VII.D.1 Rationale for Monitoring and Reporting Requirements, Receiving Water Monitoring, Surface Water**. Revise section VII.D.1 to state the following:

   Receiving water monitoring is necessary to assess the impacts of the discharge on the receiving stream.

10. **Attachment D Fact Sheet, Section VIII.B.1.a, Rationale for Provisions, Special Provisions, Reopener Provisions.** Revise section VIII.B.1.a to state the following:

a. This provision allows the Central Valley Water Board to reopen this Order for any reason specified in 40 C.F.R. 122.62 or 122.63

2. CITY OF DAVIS WASTEWATER TREATMENT PLANT, YOLO COUNTY, NPDES NO. CA0079049
(https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/davis_wwtp/davis_wwtp_npdes.pdf)

1. **Waste Discharge Requirements, Section III.C Discharge Prohibitions**. Revise section III.C to state the following:

   The treatment shall not create a nuisance as defined in section 13050 of the California Water Code.

2. **Waste Discharge Requirements, Section V.A. Receiving Water Limitations, Surface Water Limitations**. Revise Section V.A. to state the following:

   A. Surface Water Limitations - None

3. **Waste Discharge Requirements. VI.A.2.f Provisions, Standard Provisions.** Revise Section VI.A.2.f to state the following:

   The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order which has a reasonable likelihood of adversely affecting human health or the environment.

4. **Waste Discharge Requirements, Section VII Compliance Determination.** Remove sections VII.H, VII.I, VII.J, and VII.K.

5. **Attachment E – Monitoring and Reporting Program. Section X.B.7 Reporting Requirements, Self Monitoring Reports.** Revise sections X.B.7.d, X.B.7.e, and X.B.7.f to state the following:
   d. **Dissolved Oxygen Receiving Water Concentrations.** The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentrations in the effluent (EFF-001), Willow Slough Bypass (RSW-001U and RSW-001D), and the Conaway Ranch Toe Drain (RSW-002U and RSW-002D).
   e. **Turbidity Receiving Water Calculations.** The Discharger shall calculate and report the turbidity increase for Willow Slough Bypass (RSW-001U and RSW-001D), and the Conaway Ranch Toe Drain (RSW-002U and RSW-002D) in the receiving water applicable to the natural turbidity condition specified in section V.A.17.a-e. of the Waste Discharge Requirements.
   f. **Temperature Receiving Water Calculations.** The Discharger shall calculate and report the temperature increase in the receiving water based on the difference in temperature at Willow Slough Bypass (Monitoring Locations RSW-001U and RSW-001D) and the Conaway Ranch Toe Drain (Monitoring Locations RSW-002U and RSW-002D).

6. **Attachment F – Fact Sheet Section III.C.7 Applicable Plans, Policies and**

Regulations, State and Federal Laws, Regulations, Policies and Plans, Endangered Species Act Requirements. Revise section III.C.7 to state the following:

This Order requires compliance with effluent limits and other requirements to protect the beneficial uses of waters of the state, including protecting rare, threatened, or endangered species.

7. **Attachment F – Section V.A. Rationale for Receiving Water Limitations, Surface Water**. Revise Section V.A to state the following:

   A. Surface Water Limitations - On 4 March 2025, the U.S. Supreme Court issued a decision in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency* (2025) 145 U.S. 704, which challenged some of the limits in NPDES permits. The Court ruled that "end result" provisions (e.g. receiving water limitations) are not allowed by the federal Clean Water Act and that NPDES permits must have specific requirements to meet water quality objectives and protect beneficial uses. Based on this ruling, no receiving water limitations are included in this Order. The Central Valley Water Board developed a technical memorandum, *A Review of Receiving Water Limitations in Six National Pollutant Discharge Elimination System (NPDES) Tentative Permits* (dated 6 May 2025) which describes the existing permit provisions that ensure the protection of beneficial uses in the receiving waters.

8. **Attachment F – Section VII.C.1.b Receiving Water Monitoring, Surface Water**. Revise section VII.C.1.a to state the following:

   Receiving water monitoring is necessary to assess the impacts of the discharge on the receiving stream.

9. **Attachment F – Section VII.D Whole Effluent Toxicity Testing Requirements.** Revise section VII.D, second paragraph, to state the following:

   Monthly chronic whole effluent toxicity testing is required to demonstrate compliance with the chronic toxicity effluent limitations/targets.

10. **Attachment F Fact Sheet Section VII.E.6 Rationale for Monitoring and Reporting Requirements, Other Monitoring Requirements.** Revise section VII.D to state the following:

    This Order requires characterization monitoring of the effluent and receiving water to compare parameters with their respective water quality objectives. The effluent and receiving water characterization monitoring will aid in determining any changes to current or future effluent limitations and/or monitoring.

3. CITY OF STOCKTON WASTEWATER RECOVER CENTER, SAN JOAQUIN COUNTY, NPDES NO. CA0079138
(https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/cityofstockton/stockton_wwrc_npdes_tent.pdf)

1. **Waste Discharge Requirements, Section III.C Discharge Prohibitions**. Revise section III.C to state the following:

   The treatment shall not create a nuisance as defined in section 13050 of the California Water Code.

2. **Waste Discharge Requirements, Section V.A. Receiving Water Limitations, Surface Water Limitations**. Revise Section V.A. to state the following:

   A. Surface Water Limitations - None

3. **Waste Discharge Requirements. VI.A.2.f Provisions, Standard Provisions.** Revise Section VI.A.2.f to state the following:

   The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order which has a reasonable likelihood of adversely affecting human health or the environment.

4. **Waste Discharge Requirements, Section VI.A.2.r Provisions, Standard Provisions.** Revise the first sentence in section VI.A.2.r to state the following:

   In the event the Discharger does not comply, or will be unable to comply for any reason, with any prohibition or effluent limitation of this Order, the Discharger shall notify the Central Valley Water Board by telephone (916) 464-3291 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation.

5. **Waste Discharge Requirements, Section VII Compliance Determination.** Remove sections VII.L, VII.M, VII.N, and VII.O.

6. **Attachment E – Monitoring and Reporting Program. Section X.B.7 Reporting Requirements, Self Monitoring Reports.** Revise sections X.B.7.g, X.B.7.h, and X.B.7.i to state the following:

   Dissolved Oxygen Receiving Water Concentrations. The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentrations in the effluent (EFF-001A and EFF-001B) and the receiving water (Monitoring Locations RSW-001, RSW-002, RSW-002A, and RSW-003). Receiving water dissolved oxygen monitoring data, measured at Monitoring Location RSW-002 compared to Monitoring Location RSW-002A, will be used to assess the impact to the receiving water.

   g. **Temperature Receiving Water Calculations.** The Discharger shall calculate and report the temperature increase in the receiving water based on the difference in temperature at Monitoring Locations RSW-002 and RSW-002A. Due to the tidal nature of the receiving water, the direction of flow in the San Joaquin River shall be recorded at the time of sampling to ascertain which location (i.e., Monitoring

Location RSW-002 or Monitoring Location RSW-002A) is “upstream” or “downstream” of the Facility’s discharge.

h. **Turbidity Receiving Water Calculations.** The Discharger shall calculate and report the turbidity increase in the receiving water based on the difference in turbidity at Monitoring Locations RSW-002 and RSW-002A applicable to the natural turbidity condition specified in section V.A.16.a-e. of the Waste Discharge Requirements. Due to the tidal nature of the receiving water, the direction of flow in the San Joaquin River shall be recorded at the time of sampling to ascertain which location (i.e., Monitoring Location RSW-002 or Monitoring Location RSW-002A) is “upstream” or “downstream” of the Facility’s discharge.

7. **Attachment F – Fact Sheet Section III.C.7 Applicable Plans, Policies and Regulations, State and Federal Laws, Regulations, Policies and Plans, Endangered Species Act Requirements.** Revise section III.C.7 to state the following: This Order requires compliance with effluent limits and other requirements to protect the beneficial uses of waters of the state, including protecting rare, threatened, or endangered species.

8. **Attachment F – Section V.A. Rationale for Receiving Water Limitations, Surface Water**. Revise Section V.A to state the following:

   A. Surface Water Limitations - On 4 March 2025, the U.S. Supreme Court issued a decision in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency* (2025) 145 U.S. 704, which challenged some of the limits in NPDES permits. The Court ruled that “end result” provisions (e.g. receiving water limitations) are not allowed by the federal Clean Water Act and that NPDES permits must have specific requirements to meet water quality objectives and protect beneficial uses. Based on this ruling, no receiving water limitations are included in this Order. The Central Valley Water Board developed a technical memorandum, *A Review of Receiving Water Limitations in Six National Pollutant Discharge Elimination System (NPDES) Tentative Permits* (dated 6 May 2025) which describes the existing permit provisions that ensure the protection of beneficial uses in the receiving water.

9. **Attachment F – Section VII.C.1.b Receiving Water Monitoring, Surface Water**. Revise section VII.C.1.b to state the following:

   Receiving water monitoring is necessary to assess the impacts of the discharge on the receiving stream.

4. CITY OF VACAVILLE EASTERLY WASTEWATER TREATMENT PLANT, SOLANO COUNTY, NPDES NO. CA0077691
(https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/cityofvacaville/vacaville_ewwtp_tent_npdes.pdf)

1. **Waste Discharge Requirements, Section III.C Discharge Prohibitions**. . Revise

section III.C to state the following:

The treatment shall not create a nuisance as defined in section 13050 of the California Water Code.

2. **Waste Discharge Requirements, Section V.A. Receiving Water Limitations, Surface Water Limitations**. Revise Section V.A. to state the following:

   A. Surface Water Limitations - None

3. **Waste Discharge Requirements. VI.A.2.f Provisions, Standard Provisions.** Revise Section VI.A.2.f to state the following:

   The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order which has a reasonable likelihood of adversely affecting human health or the environment.

4. **Waste Discharge Requirements, Section VI.A.2.r Provisions, Standard Provisions.** Revise the first sentence in section VI.A.2.r to state the following:

   In the event the Discharger does not comply, or will be unable to comply for any reason, with any prohibition or effluent limitation of this Order, the Discharger shall notify the Central Valley Water Board by telephone (916) 464-3291 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation.

5. **Waste Discharge Requirements, Section VI.C.2, Special Provisions, Special Studies, Technical Reports, and Additional Monitoring Requirements.** Add the following:

   A 2006 study conducted by the Discharger titled *Characterization of Water Body and Reach-specific Seasonal Temperature Regimes Within the Alamo Creek Watershed and Recommended Temperature Limitations for the City of Vacaville's Easterly Wastewater Treatment Plant* (Temperature Report) reported that adult Fall-run Chinook salmon occasionally stray into New Alamo Creek and recommended seasonal temperatures that are protective of adult salmon. Additional seasonal receiving water temperature limitations based on the Discharger's Temperature Report were approved by National Marine Fisheries Services, on 20 November 2006, as protective of the New Alamo Creek beneficial uses of cold freshwater habitat and warm freshwater habitat. This provision requires additional studies and reporting, to be included with the next ROWD, on the discharge's impacts to the receiving water temperature thresholds outlined in the Discharger's Temperature Report.

6. **Waste Discharge Requirements, Section VII Compliance Determination.** Remove sections VII.H, VII.I, VII.J, and VII.K.

7. **Attachment A – Definitions**. Revise the definition for Statistical Threshold Value (STV) to:

   The STV for the bacteria water quality objective is a set value that approximates the 90th

percentile of the water quality distribution of a bacterial population.

8. **Attachment E – Monitoring and Reporting Program. Section X.B.7 Reporting Requirements, Self Monitoring Reports.** Revise sections X.B.7.e, X.B.7.f, and X.B.7.g to state the following:

   e. **Dissolved Oxygen Receiving Water Concentrations.** The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentration at RSW-001, RSW-002, RSW-003, and RSW-004).

   f. **Turbidity Receiving Water Calculations.** The Discharger shall calculate and report the turbidity increase between RSW-001 and RSW-002 in the receiving water applicable to the natural turbidity condition specified in section V.A.17.a-e. of the Waste Discharge Requirements.

   g. **Temperature Receiving Water Calculations.** The Discharger shall calculate and report the temperature increase in the receiving water based on the difference in temperature at Monitoring Locations RSW-003 and RSW-004 for the averaging periods specified in section V.A.15.b and V.A.15.c of the Waste Discharge Requirements.

9. **Attachment F – Fact Sheet Section III.C.7 Applicable Plans, Policies and Regulations, State and Federal Laws, Regulations, Policies and Plans, Endangered Species Act Requirements.** Revise section III.C.7 to state the following:
   This Order requires compliance with effluent limits and other requirements to protect the beneficial uses of waters of the state, including protecting rare, threatened, or endangered species.

10. **Attachment F – Section V.A. Rationale for Receiving Water Limitations, Surface Water**. Revise Section V.A to state the following:

    A. Surface Water Limitations - On 4 March 2025, the U.S. Supreme Court issued a decision in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency* (2025) 145 U.S. 704, which challenged some of the limits in NPDES permits. The Court ruled that “end result” provisions (e.g. receiving water limitations) are not allowed by the federal Clean Water Act and that NPDES permits must have specific requirements to meet water quality objectives and protect beneficial uses. Based on this ruling, no receiving water limitations are included in this Order. The Central Valley Water Board developed a technical memorandum, *A Review of Receiving Water Limitations in Six National Pollutant Discharge Elimination System (NPDES) Tentative Permits* (dated 6 May 2025) which describes both the existing permit provisions and additional updates to this Order that ensure the protection of beneficial uses in the receiving water.

11. **Attachment F – Section VI.B.2, Rationale for Provisions, Special Studies, Technical Reports, and Additional Monitoring Requirements.** Add the following:

Old Alamo Creek has a designated beneficial use of warm freshwater habitat. New Alamo Creek has designated beneficial uses of cold freshwater habitat and warm freshwater habitat. The Basin Plan states that "[a]t no time shall the temperature of COLD or WARM intrastate waters be increased more than 5°F above natural receiving water temperature." A 2006 study conducted by the Discharger titled *Characterization of Water Body and Reach-specific Seasonal Temperature Regimes Within the Alamo Creek Watershed and Recommended Temperature Limitations for the City of Vacaville's Easterly Wastewater Treatment Plant* (Temperature Report) reported that adult Fall-run Chinook salmon occasionally stray into New Alamo Creek. The adult salmon are constrained by physical barriers from continuing upstream and the lack of suitable habitat precludes successful spawning and reproduction in the lower reaches. The Discharger's Temperature Report recommended seasonal temperatures that are protective of adult salmon. Additional seasonal receiving water temperature limitations based on the Discharger's Temperature Report were approved by National Marine Fisheries Services, on 20 November 2006, as protective of the New Alamo Creek beneficial uses of cold freshwater habitat and warm freshwater habitat. Therefore, Section VI.C.2 requires additional studies and reporting, to be included with the next ROWD, on the discharge impacts to the receiving water temperature thresholds outlined in the Discharger's Temperature Report.

12. **Attachment F – Section VII.C.1.a Receiving Water Monitoring, Surface Water**. Revise section VII.C.1.a to state the following:

    Receiving water monitoring is necessary to assess the impacts of the discharge on the receiving stream.

13. **Attachment F – Section VII.D Whole Effluent Toxicity Testing Requirements.** Revise section VII.D, second paragraph, to state the following:

    Monthly chronic whole effluent toxicity testing is required to demonstrate compliance with the chronic toxicity effluent limitations/targets.

5. SHASTA-SUSTAINABLE RESOURCE MANAGEMENT INC., SHASTA COUNTY, NPDES NO. CA0081957
(https://waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/ssrm/ssrm_npdes.pdf)

1. **Waste Discharge Requirements, Section III.C Discharge Prohibitions**. Revise section III.C to state the following:

   The treatment shall not create a nuisance as defined in section 13050 of the California Water Code.

2. **Waste Discharge Requirements, Section V.A. Receiving Water Limitations, Surface Water Limitations**. Revise Section V.A. to state the following:

   A. Surface Water Limitations - None

3. **Waste Discharge Requirements. VI.A.2.e Provisions, Standard Provisions.** Revise

Section VI.A.2.f to state the following:

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order which has a reasonable likelihood of adversely affecting human health or the environment.

4. **Waste Discharge Requirements, Section VI.A.2.n Provisions, Standard Provisions.** Revise the first sentence in section VI.A.2.n to state the following:

   In the event the Discharger does not comply, or will be unable to comply for any reason, with any prohibition or effluent limitation of this Order, the Discharger shall notify the Central Valley Water Board by telephone (916) 464-3291 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation.

5. **Waste Discharge Requirements, Section VII Compliance Determination.** Remove sections VII.C and VII.D.

6. **Attachment A – Definitions**. Revise the definition for Statistical Threshold Value (STV) to:

   The STV for the bacteria water quality objective is a set value that approximates the 90th percentile of the water quality distribution of a bacterial population.

7. **Attachment E – Monitoring and Reporting Program. Section IX. Other Monitoring Requirements.** Add a record to Table E-9. Effluent and Receiving Water Characterization Monitoring in the section labeled “Other Constituents of Concern” as follows:

CTR Number	Other Constituents of Concern	CAS Number	Units	Effluent Sample Type
NL	E. coli	NA	MPN/100 mL	Grab

8. **Attachment E – Monitoring and Reporting Program. Section X.B.7 Reporting Requirements, Self Monitoring Reports.** Revise sections X.B.7.a, X.B.7.b, and X.B.7.c to state the following:

   a. **Dissolved Oxygen Receiving Water Concentrations.** The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentrations in the effluent (EFF-001) and the receiving water (RSW-001 and RSW-002).

   b. **Turbidity Receiving Water Calculations.** The Discharger shall calculate and report the turbidity increase in the receiving water applicable to the natural turbidity condition specified in Section V.A.17.a-e. of the Waste Discharge Requirements.

   c. **Temperature Receiving Water Calculations.** The Discharger shall calculate and report the temperature increase in the receiving water based on the difference in temperature at Monitoring Locations RSW-001 and RSW-002.

9. **Attachment F – Fact Sheet Section III.C.7 Applicable Plans, Policies and Regulations, State and Federal Laws, Regulations, Policies and Plans, Endangered Species Act Requirements.** Revise section III.C.7 to state the following:

   This Order requires compliance with effluent limits and other requirements to protect the beneficial uses of waters of the state, including protecting rare, threatened, or endangered species.

10. **Attachment F – Section V.A. Rationale for Receiving Water Limitations, Surface Water**. Revise Section V.A to state the following:

    A. Surface Water Limitations - On 4 March 2025, the U.S. Supreme Court issued a decision in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency* (2025) 145 U.S. 704, which challenged some of the limits in NPDES permits. The Court ruled that "end result" provisions (e.g. receiving water limitations) are not allowed by the federal Clean Water Act and that NPDES permits must have specific requirements to meet water quality objectives and protect beneficial uses. Based on this ruling, no receiving water limitations are included in this Order. The Central Valley Water Board developed a technical memorandum, *A Review of Receiving Water Limitations in Six National Pollutant Discharge Elimination System (NPDES) Tentative Permits* (dated 6 May 2025) which describes both the existing permit provisions and additional updates to this Order that ensure the protection of beneficial uses in the receiving water.

11. **Attachment F – Section VII.C.1.a Receiving Water Monitoring, Surface Water**. Revise section VII.C.1.a to state the following:

    Receiving water monitoring is necessary to assess the impacts of the discharge on the receiving stream. Receiving surface water monitoring frequencies and sample types have been retained from Order R5-2019-0070.

12. **Attachment F – Section VII.C.1.b.i Receiving Water Monitoring, Surface Water**. Revise section VII.C.1.b.i to state the following:.

    Receiving water monitoring frequencies and sample types for flow (monthly), pH (monthly), electrical conductivity (monthly), temperature (monthly), total dissolved solids (quarterly), and turbidity (monthly) have been retained from Order R5-2019-0070 to determine impacts and characterize the receiving water for these parameters.

6. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, YOSEMITE NATIONAL PARK, EL PORTAL WASTEWATER TREATMENT FACILITY, MARIPOSA COUNTY, NPDES NO. CA0081759
(https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/elportal/nps_elportalwwtf_npdes.pdf)

1. **Waste Discharge Requirements, Section III.C Discharge Prohibitions**. Revise section III.C to state the following:

The treatment shall not create a nuisance as defined in section 13050 of the California Water Code.

2. **Waste Discharge Requirements, Section V.A. Receiving Water Limitations, Surface Water Limitations**. Revise Section V.A. to state the following:

   A. Surface Water Limitations - None

3. **Waste Discharge Requirements. VI.A.2.f Provisions, Standard Provisions.** Revise Section VI.A.2.f to state the following:

   The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order which has a reasonable likelihood of adversely affecting human health or the environment.

4. **Waste Discharge Requirements, Section VI.A.2.r Provisions, Standard Provisions.** Revise the first sentence in section VI.A.2.r to state the following:

   In the event the Discharger does not comply, or will be unable to comply for any reason, with any prohibition or effluent limitation of this Order, the Discharger shall notify the Central Valley Water Board by telephone (559) 445-5116 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation.

5. **Waste Discharge Requirements, Section VII Compliance Determination.** Remove sections VII.E, VII.F, and VII.G.

6. **Attachment E – Monitoring and Reporting Program. Section X.B.7 Reporting Requirements, Self Monitoring Reports.** Revise sections X.B.7.d, X.B.7.e, and X.B.7.f to state the following:

   d. **Dissolved Oxygen Receiving Water Concentrations.** The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentrations in the effluent (EFF-001 or EFF-002) and the receiving water (Monitoring Location RSW-001 and RSW-002).

   e. **Turbidity Receiving Water Calculations.** The Discharger shall calculate and report the turbidity increase in the receiving water applicable to the natural turbidity condition specified in section VII.G. of the Waste Discharge Requirements.

   f. **Temperature Receiving Water Calculations.** The Discharger shall calculate and report the temperature increase in the receiving water based on the difference in temperature at Monitoring Locations RSW-001 and RSW-002.

7. **Attachment F – Fact Sheet Section III.C.7 Applicable Plans, Policies and Regulations; State and Federal Laws, Regulations, Policies and Plans; Endangered Species Act Requirements.** Revise section III.C.7 to state the following:

This Order requires compliance with effluent limits and other requirements to protect the beneficial uses of waters of the state, including protecting rare, threatened, or endangered species.

8. **Attachment F – Section V.A. Rationale for Receiving Water Limitations, Surface Water**. Revise Section V.A to state the following:

   A. Surface Water Limitations - On 4 March 2025, the U.S. Supreme Court issued a decision in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency* (2025) 145 U.S. 704, which challenged some of the limits in NPDES permits. The Court ruled that "end result" provisions (e.g. receiving water limitations) are not allowed by the federal Clean Water Act and that NPDES permits must have specific requirements to meet water quality objectives and protect beneficial uses. Based on this ruling, no receiving water limitations are included in this Order. The Central Valley Water Board developed a technical memorandum, *A Review of Receiving Water Limitations in Six National Pollutant Discharge Elimination System (NPDES) Tentative Permits* (dated 6 May 2025) which describes the existing permit provisions that ensure the protection of beneficial uses in the receiving water.

9. **Attachment F – Section VII.C.1.a Receiving Water Monitoring, Surface Water**. Revise section VII.C.1.a to state the following:
   Receiving water monitoring is necessary to assess the impacts of the discharge on the receiving stream. Receiving surface water monitoring frequencies and sample types have been retained from Order R5-2019-0069.

10. **Attachment F – Section VII.D Whole Effluent Toxicity Testing Requirements.** Revise section VII.D, second paragraph, to state the following:
    Quarterly or biannually chronic whole effluent toxicity testing is required to demonstrate compliance with the toxicity effluent limitations/targets.