CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN REGION

BOARD ORDER NO. R6T-2003-0004

GENERAL WASTE DISCHARGE REQUIREMENTS FOR

SMALL CONSTRUCTION PROJECTS, INCLUDING UTILITY, PUBLIC WORKS, AND MINOR STREAMBED/LAKEBED ALTERATION PROJECTS IN THE LAHONTAN REGION EXCLUDING THE LAKE TAHOE HYDROLOGIC UNIT

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

- 1. In accordance with Section 13260 of the California Water Code, the discharge of storm water runoff and products of erosion from small construction projects, including utility, public works, within certain sensitive watersheds in the Lahontan Region, and discharges associated with minor streambed/lakebed alteration projects in the Lahontan Region is considered to be a discharge of waste that could affect the quality of waters of the State.
- 2. The Regional Board may prescribe requirements for any proposed discharge, in accordance with Section 13263 of the California Water Code.
- 3. Implementation of temporary best management practices (BMPs) is an effective and economical means of preventing or minimizing the discharge of the products of erosion, sediment-laden storm water, and minor waste material spills from small construction projects.
- 4. Implementation of permanent best management practices (BMPs) after construction is an effective means of treating storm water runoff from impervious surfaces and of preventing erosion following construction of small sites.
- 5. This General Permit regulates: 1) discharges associated with minor streambed/lakebed alteration projects in the Lahontan Region; and 2) storm water discharges from small construction activity that enter surface waters either directly or indirectly through drainage conveyances or municipal separate storm sewer facilities within the following Hydrologic Units/Areas in the Lahontan Region (see Attachments "A", "B", and "C"):
 - a. Little Truckee River Hydrologic Unit (HU No. 636.00)
 - b. Truckee River Hydrologic Area (HU No. 635.20)
 - c. West Fork Carson River Hydrologic Unit (HU No. 633.00)
 - d. East Fork Carson River Hydrologic Unit (HU No. 632.00)
 - e. Mono Hydrologic Unit (HU No. 601.00)
 - f. Long Hydrologic Area (HU No. 603.10)

6. Small construction projects located within the jurisdiction of local agencies that have entered into a Memorandum of Understanding (MOU) with the Regional Board to implement a storm water construction pollution control program in accordance with the *Water Quality Control Plan for the Lahontan Region* (Basin Plan) are not subject to this General Permit. The Town of Mammoth Lakes has entered into such an MOU with the Regional Board and upon adoption of this Permit the Regional Board waives requirements for submitting Reports of Waste Discharge for small construction activity, as defined in Finding 9, within the Mammoth Lakes jurisdiction. Subsequent to the adoption of this Order, other jurisdictions may enter into MOUs with the Regional Board and qualify for a similar waiver.

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- Discharges of storm water runoff and products of erosion from certain construction projects in the Lake Tahoe Hydrologic Unit are regulated under separate General Waste Discharge Requirements and are not covered under this permit.
- 8. This General Permit does not preempt or supersede the authority of local storm water management agencies to prohibit, restrict, or control storm water discharges to separate storm sewer systems or other watercourses within their jurisdiction, as allowed by State and Federal law.
- 9. For purposes of this Order, a "small construction project" includes construction activity that results in land disturbance of 10,000 square feet or more and is not covered under the State Water Resources Control Board (SWRCB) Water Quality Order 99-08-DWQ (Statewide Construction General Permit). Land disturbance is clearing, grading, or disturbances to the ground, including excavation and stockpiling, within the footprint of the structure to be constructed, and any staging and access areas that disturb native soil conditions. Only the actual area of land disturbance is considered when determining whether a project must be covered under this Permit. For example, if a 1-acre parcel (43,560 square feet) is to be developed, but only 9,000 square feet of soil will be disturbed within the project site, coverage under this Permit is not required. Small construction projects also include utility projects proposed by a public or private utility and public works projects proposed by a public entity that involve 10,000 square feet or more of land disturbance.

The Statewide Construction General Permit currently covers projects involving one acre or more of land disturbance. Small construction activity that results in land disturbances of less than 10,000 square feet is subject to this General Permit if the construction activity is part of a larger common plan of development that, as a whole, encompasses 10,000 square feet, but less than 1 acre of soil disturbance. For example, a single development that is completed in two separate phases, with each phase disturbing 8,000 square feet, would require coverage under this Permit because the total land disturbance associated with the project as a whole is 16,000 square feet. For purposes of this Order, Construction activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility, nor does it include emergency construction activities required to protect public health and safety.

- 10. For purposes of this order, a "minor streambed/lakebed alteration project" is one that includes soil disturbing work, including maintenance dredging, within the high water mark of any water body in the Lahontan Region or the 100-year floodplain in the Truckee and Little Truckee River Hydrologic Units, and is not regulated by the Army Corps of Engineers under Clean Water Act (CWA) Section 404.
- 11. This General Permit does not authorize discharges of fill or dredged material regulated by the U.S. Army Corps of Engineers under CWA Section 404 and does not constitute a state water quality certification under CWA Section 401.

12. To obtain authorization for proposed storm water discharges associated with land disturbing activities to ground and/or surface waters pursuant to this General Permit, the Discharger must submit a Notice of Intent (NOI – Attachment "D") to comply with the General Permit and a filing fee to the Regional Board prior to commencement of construction activities. The NOI must include a description of specific temporary and permanent Best Management Practices (BMPs) to be implemented to prevent or minimize the discharge of waste from the project site during and after construction (see Attachment "E"). For proposed construction activity on easements or on nearby property by agreement or permission, the entity responsible for the construction activity must submit the NOI and filing fee and shall be responsible for development and implementation of the BMPs. Coverage under the General Permit shall begin upon written notification from the Regional Board or 30 days following Regional Board receipt of an NOI if the applicant receives no response from the Regional Board.

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- 13. If an individual National Pollutant Discharge Elimination System (NPDES) Permit is issued to a discharger for activities otherwise subject to this General Permit, or if an alternative general or individual permit is subsequently adopted which covers storm water discharges regulated by this General Permit, the applicability of this General Permit to such discharges is automatically terminated on the effective date of the individual permit or the date of approval for coverage under the subsequent General Permit.
- 14. Potential pollutant discharges from projects covered under this General Permit consist of products of erosion, construction waste materials, dewatering waste, turbid water and waste earthen materials from work within surface waters, and small amounts of petroleum products from construction equipment.
- 15. The Regional Board adopted and the State Water Resources Control Board (SWRCB) approved the *Water Quality Control Plan for the Lahontan Region* (Basin Plan). This General Permit implements the Basin Plan. Dischargers regulated by this General Permit must comply with the water quality standards, guidelines, and prohibitions in the Basin Plan, and subsequent amendments thereto.
- 16. Runoff from the project sites will potentially enter either ground or surface waters of the Hydrologic Units/Areas listed in Finding 5.
- 17. The beneficial uses of ground and surface waters within the Hydrologic Units/Areas listed in Finding 5 are provided in Chapter 2 of the Basin Plan. There are a variety of designated beneficial uses for individual water bodies that are too numerous to list in this General Permit. The pertinent information is available from the Basin Plan at the Regional Board offices and may be found at the following website - <u>http://www.swrcb.ca.gov/rwqcb6/files.htm</u>
- 18. A Negative Declaration for the adoption of this General Permit was certified by the Regional Board on January 8, 2003 (Resolution No. R6T-2003-0004) in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.).
- 19. The projects regulated by this General Permit are typically nonrecurring and short-term construction projects that will normally be completed within two construction seasons. The applicability of these requirements to the specific project may be revoked pursuant to Administrative Provisions Section IV.D.
- 20. The Regional Board has notified the interested agencies and persons of its intent to adopt general waste discharge requirements for small construction projects and has provided them with an opportunity to submit their written views and recommendations.

21. The Regional Board in a public meeting heard and considered all comments pertaining to the requirements.

IT IS HEREBY ORDERED that all dischargers submitting an NOI, applicable fee, and BMP plan in accordance with this permit shall comply with the following:

I. DISCHARGE PROHIBITIONS

- A. The discharge of waste¹, including but not limited to, waste earthen materials (such as soil, silt, sand, clay, rock, or other organic or mineral material) that causes violation of any narrative water quality objective contained in the Basin Plan, including the Nondegradation Objective, is prohibited.
- B. The discharge of waste that causes violation of any numeric water quality objective contained in the Basin Plan is prohibited.
- C. Where any numeric or narrative water quality objective contained in the Basin Plan is already being violated, the discharge of waste that causes further degradation or pollution is prohibited.
- D. The discharge, attributable to human activities, of solid or liquid waste materials, including but not limited to soil, silt, clay, sand, or other organic or earthen material, to surface waters of the Truckee River and Little Truckee River Hydrologic Units, is prohibited.
- E. The discharge or threatened discharge, attributable to human activities, of solid or liquid waste materials, including but not limited to soil, silt, clay, sand, or other organic or earthen material, to lands within the 100-year floodplain of the Little Truckee River and Truckee River, or any tributary to the Little Truckee and Truckee Rivers, is prohibited. A summary of the waste discharge prohibitions and exception criteria is presented in Attachment "F."
- F. Unless specifically granted, authorization pursuant to this General Permit does not constitute an exemption to applicable discharge prohibitions prescribed in the Basin Plan.
- G. Unless otherwise authorized by a separate waste discharge permit, discharges of material other than storm water, including dewatering waste, to a separate storm sewer system or waters of the state are prohibited. Discharge of dewatering waste to land is covered under this General Permit providing that there are no pollutants present that could degrade groundwater quality. If no land disposal alternatives exist for dewatering waste, the Discharger may seek coverage to discharge dewatering waste to surface waters under a separate NPDES permit by submitting a separate Report of Waste Discharge.
- H. Discharges of non-storm water are allowed only when necessary for performance and completion of construction projects and where they do not cause or contribute to a violation of any water quality standard. Such discharges must be described in the BMP plan (see Provision III Best Management Practices). Wherever feasible, alternatives that do not result in the discharge of non-storm water, or that discharge any non-storm water to land, shall be implemented.

¹ CWC Section 13050(d): "Waste" includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.

I. Storm water discharges regulated by this General Permit shall not contain a hazardous substance equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.

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- J. Except under emergency conditions, land disturbance between October 15 of any year and May 1 of the following year is prohibited in the Little Truckee River and Truckee River Hydrologic Units. Where it can be shown that granting a variance would not cause or contribute to the degradation of water quality, an exception to the dates stated above may be granted in writing by the Executive Officer.
- K. The discharge of fresh concrete or grout to surface waters is prohibited, unless the discharge is confined to the work area and isolated from flowing streams or water bodies.
- L. The discharge of oil, gasoline, diesel fuel, any petroleum derivative, any toxic chemical, or hazardous waste is prohibited.
- M. The discharge of waste, including wastes contained in storm water, shall not cause a pollution, threatened pollution, or nuisance as defined in Section 13050 of the California Water Code.

II. RECEIVING WATER LIMITATIONS

- A. Storm water discharges and authorized nonstorm water discharges to any ground water or surface water shall not adversely impact human health or the environment.
- B. The discharge of storm water from the project area to surface waters shall not cause or contribute to a violation of any narrative or numeric water quality objective contained in the Basin Plan. Where any numeric or narrative water quality objective contained in the Basin Plan is already being violated, the discharge of waste that causes further degradation or pollution is prohibited. A complete listing of water quality objectives is presented in the Basin Plan, Chapter 3 and can be found at the following website http://www.swrcb.ca.gov/rwqcb6/files.htm

Water quality objectives that apply to all surface waters within the Lahontan Region include, but are not limited to, the following construction-related pollutants.

Oil and Grease

Waters shall not contain oils, greases, waxes or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect the water for beneficial uses.

For natural high quality waters, the concentration of oils, greases, or other film or coat generating substances shall not be altered.

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In fresh waters with designated beneficial uses of COLD or WARM, changes in normal ambient pH levels shall not exceed 0.5 pH units. For all other waters of the Region, the pH shall not be depressed below 6.5 nor raised above 8.5.

The Regional Board recognizes that some waters of the Region may have natural pH levels outside of the 6.5 to 8.5 range. Compliance with the pH objective for these waters will be determined on a case-by-case basis.

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Sediment

The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect the water for beneficial uses.

Settleable Materials

Waters shall not contain substances in concentrations that result in deposition of material that causes nuisance or that adversely affects the water for beneficial uses. For natural high quality waters, the concentration of settleable materials shall not be raised by more that 0.1 milliliter per liter.

Turbidity

Waters shall be free of changes in turbidity that cause nuisance or adversely affect the water for beneficial uses. For all waters, increases in turbidity shall not exceed natural levels by more than 10 percent. Additionally for the Little Truckee Hydrologic Unit and Truckee River Hydrologic Area, turbidity shall not be raised above 3 Nephelometric Turbidity Units (NTU) mean of monthly means. Additionally for the West Fork Carson River Hydrologic Unit, the turbidity shall not be raised above a mean of monthly means value of 2 NTU.

Toxicity

All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life.

- C. Should it be determined by the Discharger or Regional Board staff that storm water discharges and/or authorized nonstorm water discharges are causing or contributing to a violation of an applicable water quality standard, the Discharger shall:
 - 1. Implement corrective measures immediately following discovery that water quality standards were violated, followed by notification to the Regional Board by telephone as soon as possible but no later than 48 hours after the discharge has been discovered. This notification shall be followed by a report within 14 calendar days to the Regional Board, unless otherwise directed by the Regional Board, describing (1) the nature and cause of the water quality standard violation; (2) the BMPs currently being implemented; (3) any additional BMPs which will be implemented to prevent or reduce pollutants that are causing or contributing to the violation of water quality standards; and (4) any maintenance or repair of BMPs. This report shall include an implementation schedule for corrective actions and shall describe the actions taken to reduce the pollutants causing or contributing to the violation.
 - 2. The Discharger shall revise storm water pollution control measures and monitoring procedures to incorporate: 1) the additional BMPs that have been, and will be implemented; 2) the implementation schedule; and 3) any additional monitoring needed.
 - 3. Nothing in this section shall prevent the Regional Board from enforcing any provisions of this General Permit while the Discharger prepares and implements the above report.

III. BEST MANAGEMENT PRACTICES (BMPs)

A. Prior to the initiation of any construction related activities, the Discharger shall develop a BMP implementation plan and install temporary erosion control facilities to prevent transport of earthen materials and other wastes off the property. Guidance for developing the BMP plan is provided in Attachment "E."

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- B. All land disturbing activities shall be conducted in accordance with the Lahontan Region Project Guidelines for Erosion Control (Attachment "G").
- C. If the Regional Board determines that the proposed BMPs will not achieve the applicable standards and receiving water objectives, the Discharger may be required to implement additional or alternative BMPs.

IV. ADMINISTRATIVE PROVISIONS

- A. Applicability and Timing
 - 1. Upon receipt of the applicable filing fee, an NOI to comply with the provisions of this General Permit, and an adequate BMP plan, the Discharger will be issued a written Notice of Applicability (NOA). The Regional Board reserves the right to request additional information if the NOI and/or BMP plan is deemed inadequate.
 - 2. The Discharger shall submit a NOI, a BMP plan, and the appropriate fee at least 30 days prior to the proposed date of construction. Additional time (up to 120 days) will be required for projects that propose disturbance to flood plains or waters of the state. Construction may not begin until a written NOA is received from the Regional Board or 30 days have elapsed from the date the NOI was received by the Regional Board. If the Discharger is notified in writing that the NOI and/or BMP plan is incomplete, the Discharger must provide the additional information requested in the notice and the Regional Board may take up to 30 days to respond with an NOA or request for additional information.
 - 3. All Dischargers must implement the BMP plan and the Monitoring and Reporting Program upon commencement of construction.
 - 4. Projects may be brought to the Regional Board for consideration of adoption of an individual WDR when the Executive Officer deems it necessary to achieve water quality protection.
 - 5. The conditions of this General Permit do not exempt the Discharger from compliance with any other laws, regulations, or ordinances which may be applicable, do not legalize land treatment and disposal facilities, and leave unaffected any further restraints on those facilities which may be contained in other statutes or required by other regulatory agencies.
 - B. Provisions
 - 1. All Dischargers must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to drainage systems or other water courses under their jurisdiction.

- 2. The Discharger shall at all times fully comply with the engineering plans, specifications, and technical reports developed for the project and/or submitted with the NOI. The Discharger shall at all times fully comply with the BMP Plan.
- 3. The Discharger must comply with the Standard Provisions for Waste Discharge Requirements contained in Attachment "H", which is made part of this General Permit.

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- 4. Pursuant to California Water Code Section 13267, the Discharger shall comply with Monitoring and Reporting Program No. **R6T-2003-0004** hereby made a part of this General Permit.
- 5. The owners of property subject to this General Permit shall have a continuing responsibility for ensuring compliance with the General Permit. The Discharger identified in the NOA shall remain liable for General Permit violations until an NOI is received from the new owner/operator. Notification of applicable General Permit requirements shall be furnished to the new owners and/or operators and a copy of such notification shall be sent to the Regional Board. This General Permit is transferable to the new owner. Any change in the ownership and/or operation of property subject to this General Permit shall be reported to the Regional Board. The new owner must comply with the General Permit, including the Monitoring and Reporting Program.

C. Revocation Procedures

Coverage under the General Permit shall continue until revoked in writing by the Regional Board staff. The Discharger is responsible for notifying the Regional Board in writing that the project is complete, certifying that the required conditions are met, and requesting revocation of coverage under the General Permit. The General Permit for the specific project will be revoked provided the following conditions are met: 1) the construction project is complete and soil stabilization measures are in place and functioning; 2) permanent BMPs have been installed and are functional; 3) information required by the attached Monitoring and Reporting Program has been submitted; and 4) Regional Board staff have inspected the site, if deemed necessary.

I, Harold J. Singer, 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, Lahontan Region, on January 8, 2003.

HAROLD J. SINGER

EXECUTIVE OFFICER

Attachment A: Map of Little Truckee River Hydrologic Unit and Truckee River Hydrologic Area

Attachment B: Map of West and East Forks Carson River Hydrologic Units

Attachment C: Map of Mono Hydrologic Unit and Long Hydrologic Area

Attachment D: Notice of Intent Form

Attachment E: Best Management Practices Plan

Attachment F: Waste Discharge Prohibitions and Exception Criteria for Projects within the Truckee River Hydrologic Unit

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Attachment G: Lahontan Region Project Guidelines for Erosion Control

Attachment H: Standard Provision for Waste Discharge Requirements

BA/cgT: Small Construction General Permit WDR

Attachment "A" Little Truckee River Hydrologic Unit And Truckee River Hydrologic Area



Attachment "B" West and East Fork Carson River Hydrologic Units



Attachment "C" Mono Hydrologic Unit And Long Hydrologic Area



ATTACHMENT "D" California Regional Water Quality Control Board – Lahontan Region NOTICE OF INTENT TO COMPLY WITH THE TERMS OF THE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SMALL CONSTRUCTION PROJECTS, INCLUDING UTILITY, PUBLIC WORKS, AND MINOR STREAMBED/LAKEBED ALTERATION PROJECTS IN THE LAHONTAN REGION

EXCLUDING THE LAKE TAHOE HYDROLOGIC UNIT

(WQ ORDER No. R6T-2003-0004)

I. NOI STATUS (SEE INSTRUCTIONS)

MARK ONLY ONE ITEM	1. New Construction	2. Change of Information for WDID#	
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II. PROPERTY OWNER

Name		Contact	t Person			
Mailing Address		Title		,		
	and a second			·		
City	· · · · · · · · · · · · · · · · · · ·	Stat	Zip		Phone	
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III. DEVELOPER/CONTRACTOR INFORMATION

Contact Person	
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Title	
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	Contact Person Title Stat Zip Phone (

IV. CONSTRUCTION PROJECT INFORMATION

Site/Project Name		Site Contact Person			
Physical Address/Location	Latitude	Longitude	County		
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City (or nearest City)	Zip	Site Phone Nu	nber Emergency Phone Number		
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A. Total size of construction site area: C. Percent of site imperviousness	s (including rooftc	ops):	D		
Acres Before Construction	%		U. Tract Number	(s):,	
B. Total area to be disturbed:	~~~				
Acres (% of total) After Construction:	%		E. Mile Post Mar	ker:	
F. Is the construction site part of a larger common plan of development or sale?	G. Name of p	lan or developme	int:		
	1.	•			
		ad construction de	ator:		
H. Construction commencement date: / /	J. FIUJECI		ales.		
	Complete grading:/ Complete project:/ /			plete project://	
I. % of site to be mass graded:					
K. Type of Construction (Check all that apply):				·	
1. Residential 2. Commercial 3. Industrial	4. 🔲 Re	construction	5. 🔲 Transp	portation	
6. Utility Description: 7.	Other (Please	List):			

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SEND BILL TO: Name		C	ontact Pe	rson	
(as in II. above)					
DEVELOPER (as in III, above)		F	hone/Fax	······	·····
City		Ę	tate	Zip	
(enter information at right)			<u> </u>		
VI. REGULATORY STATUS	• •				
A. Has a local agency approved a required erosion/sediment control	lan?			🗌 YES	[] N
Does the erosion/sediment control plan address construction activ	ies such as infrastructure and struct	ures?	·····	YES	
Name of local agency:	Phone: () –	•		
					<u> </u>
B. Is this project or any part thereof, subject to conditions imposed un	ler a CWA Section 404 permit or 40	1 Water Quality Certificat	on?	L YES	
If yes, provide details:					
	<u> </u>	987.974		·· ···································	
VII. RECEIVING WATER INFORMATION	harge to (Check all that apply)				
1. Indirectly to waters of the State	•		•	•	
2. 🗌 Storm drain system - Enter owner's n	me:	· · · · · · · · · · · · · · · · · · ·			
3. Directly to waters of State (e.g., river,	lake, creek, stream, wetlands	· · ·	·		
Have you included a BMP Plan with this submittal?			······	YES NO	
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ATTACHMENT "E"

BEST MANAGEMENT PRACTICES PLAN

The purpose of the Best Management Practices (BMP) plan is to evaluate potential sources of sediment and other pollutants at the construction site and put controls in place that will effectively prevent pollutant discharges to surface and ground waters. The following general pollution control elements should be addressed in the BMP Plan:

- 1. retain soil and sediment on the construction site;
- 2. prevent non-storm water discharges that would discharge pollutants off site;
- 3. prevent the discharge of other pollutants associated with construction activities to land or surface waters;
- 4. permanently stabilize disturbed soils; and
- 5. minimize the effects of increased storm water runoff from impervious surfaces.

For detailed information on construction related BMPs, the EPA document Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices may be found at the following website: http://cfpub.epa.gov/npdes/pkeyword.cfm?keywords=BMPs&program id=0

Additional information may be also be obtained by contacting the Lahontan Regional Water Quality Control Board.

Specific guidance for completing the Best Management Practices (BMP) Plan is provided below. The BMP Plan must be submitted with the Notice of Intent (NOI) to obtain coverage under the General Permit. Use the attached form for preparing the BMP plan.

Temporary Erosion Control

This element of the BMP Plan addresses temporary erosion control or soil stabilization measures to be implemented during the time while active construction and land disturbing work is active. The most efficient way to address erosion control is to preserve existing vegetation where feasible, limit disturbance, and stabilize and revegetate disturbed areas as soon as possible after grading or construction. Use of temporary erosion control measures is especially important on large graded sites where soil exposure to rainfall and wind can cause significant soil loss if left unprotected during the time active construction activities are conducted. Some of these measures may overlap with the permanent soil stabilization measures discussed later in the section. Until permanent vegetation is established, temporarily covering the soil is the most cost-effective and expeditious method to prevent and minimize erosion.

Indicate on the BMP Plan what methods will be used to prevent erosion from cut and fill slopes and other disturbed areas after grading activities are completed, but before permanent soil stabilization measures can be implemented. Options may include, but are not limited to:

- Covering with mulch
- Temporary seeding or planting
- Applying soil stabilizers or binders (tackifier)

- Placing fiber rolls/logs on bare slopes
- Covering surfaces with erosion control blankets
- Diverting run off around disturbed areas using stabilized conveyances

Sediment Control

Sediment control BMPs are required at appropriate locations along the site perimeter and at all internal inlets to the storm drain system. Sediment controls used in combination with the erosion controls described above can effectively prevent the discharge of pollutants off site. Effective filtration devices, barriers, and settling devices shall be selected, installed and maintained properly. The sediment control plan must also include provisions to temporarily stabilize construction access points such that soil, sediment, and other construction related materials are not tracked out beyond the site perimeter.

Indicate on the BMP Plan what sediment controls will be used at the site. Options may include, but are not limited to:

Filter barriers -

- fiber rolls/logs
- silt fence
- straw bale barriers
- gravel inlet filters

Retention structures -

- sediment traps
- settling basins

Stabilized access points/good housekeeping -

- crushed rock
- mulch
- landing mats
- frequent sweeping

Stabilization

All disturbed areas of the construction site must be stabilized once construction is complete. Disturbed areas include drainage ditches or channels. Stabilization means implementing permanent rather than temporary erosion controls. It is recommended to stabilize disturbed areas in inactive (no further land disturbance planned) portions of the site as soon as feasible. Final stabilization for the purposes of submitting a Notice of Termination (NOT) is satisfied when all soil disturbing activities are completed AND EITHER OF THE TWO FOLLOWING CRITERIA ARE MET:

1. A uniform vegetative cover with 70 percent coverage has been established OR:

2. equivalent stabilization measures have been employed. These measures include the use of such BMPs as mulch, erosion blankets, rip rap, fiber treatments, or other erosion resistant soil coverings or treatments.

Where background native vegetation covers less than 100 percent of the surface, such as in arid areas, the 70 percent coverage criteria is adjusted as follows: if the native vegetation on adjacent undisturbed areas covers 50 percent of the ground surface, 70 percent of 50 percent (.70 X .50=.35) would require 35 percent total uniform surface coverage.

Indicate on the BMP Plan what stabilization measures will be used at the site. Options may include, but are not limited to:

- Seeding and/or planting (including hydro mulching/seeding)
- Mulching (wood chips, gravel, other) in combination with seeding/planting
- Installing erosion blankets (typically used on steeper disturbed slopes or unlined drainage ditches in combination with permanent seeding/planting)
- Placing rip rap

Non-Storm Water Management

Non-storm water discharges should be eliminated or reduced to the extent feasible. Certain nonstorm water discharges (e.g. irrigation of vegetative erosion control measures, pipe flushing and testing) may be necessary for the completion of some construction projects and are authorized by this General Permit. Other non-storm water discharges such as concrete washout, and driveway and street washing that would flush sediment or other pollutants to storm drains or surface waters are not allowed and would be a violation of this General Permit. De-watering waste should be discharged to land and infiltrated. A separate permit may be necessary if de-watering waste must be discharged to surface waters due to site constraints.

Indicate on the BMP Plan how unauthorized non-storm water discharges will be controlled. Options include, but are not limited to:

- Approved off-site wash-out and wash-down areas
- Lined wash-out containment basins/traps
- De-watering waste infiltration or containment

Spill Prevention and Control

The BMP Plan must describe measures to prevent and control potential leaks/spills of petroleum products such as fuels and lubricating materials, and other potentially hazardous materials. Secured storage areas for fuels and chemicals should be established and sufficient spill cleanup materials should be at the site to respond to accidental spills.

Indicate on the BMP Plan what spill prevention and control measures will be used. Options include, but are not limited to:

- Covered material storage
- Material storage containment (berms, lined surfaces, secondary containment devices etc.)
- Regular equipment leak inspections
- Drip pans
- Absorbents

Post-Construction Storm Water Management

Post-construction storm water controls are needed to reduce the impacts of adding impervious surfaces to the landscape and adding potential pollutant sources within storm water drainage areas. Additional impervious surfaces reduce storm water infiltration and storage and increase the volume and velocity of run off down stream from developed sites. Whenever possible, use of infiltration and treatment devices is encouraged. Specific requirements for infiltration or treatment of storm water runoff volume from a 20-year, 1-hour storm from all impervious surfaces in the Truckee River, Little Truckee River, and Mammoth Lakes watersheds must be met (see Attachment "G") Design approaches that limit overall land disturbance and reduce the amount of impervious surfaces are encouraged. Additional post-construction BMPs should also be incorporated into projects as appropriate and be properly maintained.

Indicate on the BMP Plan what post-construction BMPs will be implemented. Options include, but are not limited to:

- Infiltration structures
- Detention/retention basins
- Storm water treatment vaults
- Biofilter BMPs (typically vegetated swales, strips, and buffers)
- Energy dissipation devices (structures designed to prevent erosion and slow water velocity associated with conveyance systems
- Efficient irrigation systems
- Proper drain plumbing (e.g. ensuring that interior drains are not connected to a storm sewer system)

Maintenance, Inspection, and Repair

BMPs implemented at the site must be properly maintained to be effective. The BMP plan shall include provisions to inspect and maintain all BMPs identified in the plan throughout the duration of the project. Sites that are inactive and winterized through the wet season should be checked periodically to ensure the site remains stable. For sites where construction activity is conducted through the wet season, the Discharger must ensure that BMPs remain effective.

Indicate on the BMP Plan how BMPs will be inspected and repaired in accordance with the following minimum program:

For inactive construction sites during wet season -

• Cease construction through wet season and winterize (see Attachment "G")

For active construction sites during wet season -

- Inspect BMPs before and after storm events
- Inspect BMPs once each 24-hour period during extended storm events
- Implement repairs or design changes as soon as feasible depending upon worker safety and field conditions
- Have provisions to respond to failures and emergencies

Discharger Name:	•					
Site Name:						
Street Address:		·		•		
City:					·	
County:			-			

Use the template provided below to identify BMPs to be implemented at the construction site. Check the boxes next to the BMPs that will be used. If other BMPs will be used, describe them in the space provided for "Other BMP." Attach additional sheets if needed.

TEMPORARY EROSION CONTROL

Erosion from graded or disturbed areas, including cut and fill slopes, will be temporarily protected once soil disturbing activities are completed by the following method(s):

Covering with mulch

Temporary seeding or planting

Applying soil stabilizers or binders (tackifier)

□ Placing fiber rolls/logs on bare slopes

Covering surfaces with erosion control blankets

Diverting run off around disturbed areas using stabilized conveyances

Other (describe below)

SEDIMENT CONTROL

Excess sediment will be prevented from running off the site or to storm drain inlets by the following method(s):

Filter barriers -

fiber rolls

silt fence

u straw bale barriers

gravel inlet filters

Retention structures -

u sediment traps

□ settling basins

Stabilized access points/good housekeeping -

crushed rock

u mulch

landing mats

☐ frequent sweeping

Other (describe below)

	STABILIZA	ΓΙΟΝ	
Disturbed soil areas not covered with following method(s):	impervious sur	faces will be perman	ently stabilized by the
 Seeding and/or planting (in Mulching (wood chips, graven in the second chips) and the second chips in the second chips i	cluding hyd vel, other) in (typically us combinatio cation)	ro mulching/seed combination wi sed on steeper dis n with permaner	ling) th seeding/planting sturbed slopes or nt seeding/planting)
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POST-CONSTRUCTION STORM WATER MANAGEMENT

The following post-construction BMPs will be implemented to reduce impacts from additional impervious surfaces and pollutant sources (include design calculations used to size BMPs):

- □ Infiltration structures
- **Detention/retention basins**
- Storm water treatment vaults
- Biofilter BMPs (typically vegetated swales, strips, and buffers)
- □ Energy dissipation devices (structures designed to prevent erosion and slow water velocity associated with conveyance systems
- **Efficient irrigation systems**

Proper plumbing design (e.g. ensuring that interior drains are not connected to a storm sewer system)

Other (describe below)

MAINTENANCE, INSPECTION, AND REPAIR	
BMPs will be inspected and repaired in accordance with the following minimum program:	
For inactive construction sites during wet season (October 15 – May 1) –	
Cease construction through wet season and winterize (see Attachment "C	; ")
For active construction sites during wet season (October 15 – May 1) –	
 Inspect BMPs, and repair if needed, before and after storm events Inspect BMPs once each 24-hour period during extended storm events Implement repairs or design changes as soon as feasible depending upon worker safety and field conditions Have provisions to respond to failures and emergencies 	•
U Other (describe below)	

ATTACHMENT "F"

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN REGION

WASTE DISCHARGE PROHIBITIONS AND EXCEPTION CRITERIA FOR PROJECTS WITHIN THE TRUCKEE RIVER HYDROLOGIC UNIT

The Water Quality Control Plan for the Lahontan Region (Basin Plan) prohibits the discharge or threatened discharge, attributable to human activities, of solid or liquid waste¹ materials (including, but not limited to, soil, silt, clay, sand and other organic and earthen materials) to lands within the 100-year floodplain of the Truckee River or within the 100-year floodplain of any tributary² to the Truckee River. The Regional Board may grant exceptions to the prohibition for repair or replacement of existing structures provided that a loss of additional floodplain area or volume does not occur, and Best Management Practices and mitigation measures are used to minimize any potential soil erosion and/or surface runoff problems.

The Regional Board may also grant exceptions to the prohibition for the following types of new projects:

- (1) Projects solely intended to reduce or mitigate existing sources of erosion or water pollution, or to restore the functional value to previously disturbed floodplain areas.
- (2) Bridge abutments, approaches, or other essential transportation facilities identified in an approved county general plan.
- (3) Projects necessary to protect public health or safety, or to provide essential public services.
- (4) Projects necessary for public recreation.
- (5) Projects that will provide outdoor public recreation within portions of the 100-year flood plain that have been substantially altered by grading and/or filling activities which occurred prior to June 26, 1975.

¹ Waste includes earthen material placed in a water body or carried to waters by erosive forces. Construction activity involving ground disturbance within 100-year floodplain areas is generally considered to constitute a threat of discharge.

² Tributaries include: perennial surface waters (rivers. streams, lakes, wetlands) and ephemeral (seasonal) watercourses exhibiting evidence of the occurrence of flowing water, and having the potential to transport water and/or sediment to another water body, including, but not limited to, named and unnamed streams, wetlands, and lakes.

Discharge Prohibitions

The Basin Plan allows an exception to the prohibitions for new projects only when the Regional Board makes all of the following findings:

- The project is included in one or more of the five categories listed above.
- There is no reasonable alternative to locating the project or portions of the project within the 100-year flood plain.
 - The project, by its very nature, must be located within the 100-year flood plain. (The determination of whether a project, by its very nature, must be located in a 100-year flood plain shall not apply to projects in category (5), above, and shall be based on the type of project proposed, not the particular site proposed.)
 - The project incorporates measures which will ensure that any erosion and surface runoff problems caused by the project are mitigated to levels of insignificance.
 - The project will not individually or cumulatively with other projects, directly or indirectly, degrade water quality or impair beneficial uses of water.
 - The project will not reduce the flood flow attenuation capacity, the surface flow treatment capacity, or the ground water flow treatment capacity from existing conditions. All 100-year flood plain areas and volumes lost as a result of the project must be completely mitigated by restoration of previously-disturbed floodplain within or as close as practical to the project site.³ The restored, new, or enlarged floodplain shall be of sufficient area and volume to more than compensate for the flood flow attenuation capacity, surface flow treatment capacity and ground water flow treatment capacity which are lost as a result of the project.

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3

This finding will not be required for new projects necessary to protect public health and safety. For new projects necessary to provide essential public services, this finding will not be required when the Regional Board finds mitigation measures to be infeasible because the financial resources of the project proponent are severely limited.

ATTACHMENT "G"

LAHONTAN REGION PROJECT GUIDELINES FOR EROSION CONTROL

In the interest of protecting surface water quality from unnatural or accelerated erosion caused by land development, the following guidelines shall be followed:

Guidelines Applicable To: Little Truckee River Hydrologic Unit (HU No. 636.00) Truckee River Hydrologic Area (HU No. 635.20) West Fork Carson River Hydrologic Unit (HU No. 633.00) East Fork Carson River Hydrologic Unit (HU No. 632.00) Mono Hydrologic Unit (HU No. 601.00) Long Hydrologic Area (HU No. 603.10)

Temporary Construction BMPs

1. Surplus or waste materials shall not be placed in drainage ways or within the 100-year flood plain of surface waters.

2. All loose piles of soil, silt, clay, sand, debris, or earthen materials shall be protected in a reasonable manner to prevent discharge of pollutants to waters of the State. Material stockpiles should be placed on the upgradient side of excavation whenever possible. Stockpiles may also be protected by covering to prevent contact with precipitation and by placing sediment barriers around the stockpiles.

3. Dewatering shall be done in a manner so as to prevent the discharge of pollutants, including earthen materials, from the site. The first option is to discharge dewatering waste to land. A separate permit may be required if, due to site constraints, dewatering waste must be discharged to surface waters. Contact the Regional Board for information on discharging to surface waters.

4. All disturbed areas shall be stabilized by appropriate erosion and/or sediment control measures by October 15 of each year.

5. All work performed between October 15th and May 1st of each year shall be conducted in such a manner that the project can be winterized within 48 hours. Winterized means implementing erosion and/or sediment controls that will prevent the discharge of earthen materials from the site and the controls will remain effective throughout the rainy/snow season without requiring maintenance. In general, this requires stabilizing bare disturbed soils with mulch, erosion protection blankets, or other suitable materials, and installing perimeter sediment controls such as fiber logs or other similar materials that will remain effective during significant rain and snow events.

6. After completion of a construction project, all surplus or waste earthen material shall be removed from the site and deposited at a legal point of disposal.

7. All non-construction areas (areas outside of the construction zone that will remain undisturbed) shall be protected by fencing or other means to prevent unnecessary encroachment outside the active construction zone.

8. During construction, temporary erosion control facilities (e.g., impermeable dikes, filter fences, weed-free straw bales, etc.) shall be used as necessary to prevent discharge of earthen materials from the site during periods of precipitation or runoff.

9. Control of run-on water from offsite areas shall be managed (protected, diverted, treated, etc.) to prevent such water from degrading before it discharges from the site.

10. Where construction activities involve the crossing and/or alteration of a stream channel, such activities require a prior written agreement with the California Department of Fish and Game and shall be timed whenever possible to occur during the period in which streamflow is expected to be lowest for the year. Other control measures may be used as necessary to prevent adverse effects from work in surface waters.

Permanent Construction BMPs

1. Impervious surfaces should be constructed with infiltration trenches or comparable infiltration structures along downgradient sides to infiltrate the increase in runoff resulting from the new impervious surfaces. Infiltration structures should also be constructed to accept runoff from structural (roof top) drip lines. Other control measures may be considered if design and/or site constraints are such that construction of infiltration devices is infeasible. Additional specific design specifications are required for the Truckee, Little Truckee and Long Hydrologic Units/Areas (see specific requirements below).

2. Where possible, existing drainage patterns shall not be significantly modified.

3. Drainage swales disturbed by construction activities shall be stabilized by the addition of crushed rock or riprap, as necessary, or other appropriate stabilization methods.

4. Revegetated areas shall be regularly and continually maintained in order to assure adequate growth and root development. Physical erosion control measures (controls other than live vegetation) shall be placed on a routine maintenance and inspection program to provide continued erosion control integrity.

Additional Requirements for Specific Watersheds

Truckee River Hydrologic Area and Little Truckee Hydrologic Unit

- 1. Runoff from impervious surfaces shall be treated or contained onsite. For purposes of this requirement, the volume of water to be contained or treated is the 20-year, one-hour storm, which is equal to 0.7 inches of rain.
- 2. Except in the event of emergencies, land disturbance associated with project construction is prohibited between October 15th and May 1st of the following year. Exemptions may be granted by the Executive Officer on a case by case basis.

Long Hydrologic Area

Policy: (Contact the Regional Water Quality Control Board for information on permitting requirements delegated to the Town of Mammoth Lakes under a Memorandum of Understanding)

1. For Mammoth Lakes watershed at an elevation above 7,000 feet, drainage collection, retention, and infiltration facilities shall be constructed and maintained to prevent transport of the runoff from a 20-year, 1-hour design storm from the project site. A 20-year, 1-hour design storm for the Mammoth Lakes area is equal to 1.0 inch of rainfall.

ATTACHMENT "H"

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN REGION

STANDARD PROVISIONS FOR WASTE DISCHARGE REQUIREMENTS

1. Inspection and Entry

The discharger shall permit Regional Board staff:

- a. to enter upon premises in which an effluent source is located or in which any required records are kept;
- b. to copy any records relating to the discharge or relating to compliance with the waste discharge requirements;
- c. to inspect monitoring equipment or records; and
- d. to sample any discharge.
- 2. <u>Reporting Requirements</u>
 - a. Pursuant to California Water Code 13267(b), the discharger shall immediately notify the Regional Board by telephone whenever an adverse condition occurred as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.
 - b. Pursuant to California Water Code Section 13260 (c), any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to the Regional Board at least 120 days in advance of implementation of any such proposal. This shall include, but not be limited to, all significant soil disturbances.
 - c. The owner(s) of, and discharger upon, property subject to waste discharge requirements shall be considered to have a continuing responsibility for ensuring compliance with applicable waste discharge requirements in the operations or use of the owned property. Pursuant to California Water Code Section 13260(c), any change in the ownership and/or operation of property subject to the waste discharge requirements shall be reported to the Regional Board. Notification of applicable waste discharge requirements and/or operators and a copy of such notification shall be sent to the Regional Board.
 - d. If a discharger becomes aware that any information submitted to the Regional Board is incorrect, the discharger shall immediately notify the Regional Board, in writing, and correct that information.

e. Reports required by the waste discharge requirements, and other information requested by the Regional Board, must be signed by a duly authorized representative of the discharger. Under Section 13268 of the California Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1000) for each day of violation.

-2-

f. If the discharger becomes aware that their waste discharge requirements are no longer needed (because the project will not be built or the discharge will cease) the discharger shall notify the Regional Board in writing and request that their waste discharge requirements be rescinded.

3. Right to Revise Waste Discharge Requirements

The Board reserves the privilege of changing all or any portion of the waste discharge requirements upon legal notice to and after opportunity to be heard is given to all concerned parties.

4. Duty to Comply

Failure to comply with the waste discharge requirements may constitute a violation of the California Water Code and is grounds for enforcement action or for permit termination, revocation and reissuance, or modification.

5. Duty to Mitigate

The discharger shall take all reasonable steps to minimize or prevent any discharge in violation of the waste discharge requirements which has a reasonable likelihood of adversely affecting human health or the environment.

6. <u>Proper Operation and Maintenance</u>

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 the waste discharge requirements. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by the discharger, when necessary to achieve compliance with the conditions of the waste discharge requirements.

7. Waste Discharge Requirement Actions

The waste discharge requirements may be modified, revoked and reissued, or terminated for cause. The filing of a request by the discharger for waste discharge requirement

modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the waste discharge requirements conditions.

8. Property Rights

The waste discharge requirements do not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

9. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of the waste discharge requirements including imposition of civil liability or referral to the Attorney General.

10. Availability

A copy of the waste discharge requirements shall kept and maintained by the discharger and be available at all times to operating personnel.

11. Severability

Provisions of the waste discharge requirements are severable. If any provision of the requirements is found invalid, the remainder of the requirements shall not be affected.

12. Public Access

General public access shall be effectively excluded from treatment and disposal facilities.

13. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operation. The owner/operator must request the transfer in writing and receive written approval from the Regional Board Executive Officer.

- 14. Definitions
 - a. "Surface waters" as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses and natural lakes and artificial impoundments of waters. "Surface waters" does not include artificial water courses or impoundments used exclusively for wastewater disposal.
 - b. "Ground waters" as used in this Order, include, but are not limited to, all subsurface waters being above atmospheric pressure and the capillary fringe of these waters.

STANDARD PROVISIONS

SEPTEMBER 1, 1994

15. Storm Protection

All facilities used for collection, transport, treatment, storage, or disposal of waste shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years.

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN REGION

MONITORING AND REPORTING PROGRAM NO. R6T-2003-0004 GENERAL WASTE DISCHARGE REQUIREMENTS

FOR

SMALL CONSTRUCTION PROJECTS, INCLUDING UTILITY, PUBLIC WORKS, AND MINOR STREAMBED/LAKEBED ALTERATION PROJECTS LAHONTAN REGION EXCLUDING THE LAKE TAHOE HYDROLOGIC UNIT

- A. An inspection of the construction site shall be made daily during active construction and monthly during long periods of inactivity (e.g. winter), by the Discharger, resident engineer, superintendent, general contractor, or equivalent. The purpose of the inspection is to discover potential water quality problems at the construction site so that the Discharger can implement corrective measures. The following items should be inspected at the site, as applicable:
 - 1. Damaged containment dikes or erosion fencing
 - 2. Unauthorized access by vehicles and/or sediment tracking off the site
 - 3. Boundary fence damage or removal
 - 4. Disturbed areas with no erosion control protection
 - 5. Evidence of any sediment leakage through erosion control fencing or containment dikes
 - 6. Soil piles unprotected or located in drainage ways
 - 7. Spilled chemicals, paints, fuels, oils, sealants, etc.
 - 8. Upstream runoff diversion structures in place and operational
 - 9. Any signs of downstream erosion from runoff discharges
 - 10. Sediment accumulation within onsite storm water drainage facilities

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- B. Following completion of project construction, the Discharger shall submit a notice of completion and request for revocation of coverage under the permit. The notice of completion should include the following information:
 - 1. Details on any modification from the construction plans to the proposed stormwater collection, treatment, or disposal facilities.
 - 2. Details on any changes to the amount of impervious coverage for this project.
 - 3. Any significant problems which occurred during project construction and remedial measures taken.
 - 4. Statement that onsite stabilization/revegetation measures have been completed.
 - 5. Certification that project is in compliance with the requirements of the General Permit.

The final report shall contain the name of the project and shall be signed and dated by the property owner or his legal representative. The report shall be submitted to the Regional Board office in South Lake Tahoe.

_ Date: 100 8,2003 Ordered by Hards HAROLD J. SINGER EXECUTIVE OFFICER

BA/cgT: Small Construction M&R