

STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF AUGUST 31, 2009

Prepared on August 6, 2009

ITEM 13

SUBJECT RESCISSION OF WASTE DISCHARGE REQUIREMENTS  
ORDER NO. 94-99, CITY OF SANTA CRUZ, NEARY LAGOON  
STORMWATER DISCHARGE, SANTA CRUZ COUNTY

KEY INFORMATION

Treatment System Location: Adjacent to City of Santa Cruz wastewater treatment plant (WWTP) at 110 California Street, Santa Cruz.  
Discharge Type: Municipal stormwater  
Design Capacity: For WWTP, 17.0 million gallons per day (MGD)  
Treatment: Through WWTP  
Disposal: To Pacific Ocean  
Reclamation: None  
Existing Orders: Waste Discharge Requirements (WDRs) Order No. 94-99  
**This Action: Rescind WDRs Order No. 94-99 (formerly NPDES Permit No. CAS049883)**

SUMMARY

Staff recommends the Board rescind WDRs Order No. 94-99 because the City's Stormwater Management Plan specifies Best Management Practices equivalent to the Order's waste discharge requirements. Therefore, the Order is not necessary.

BACKGROUND

Neary Lagoon is a wetland next to City of Santa Cruz's (the Discharger) wastewater treatment plant (WWTP). Stormwater runoff from around 850 acres flows into the lagoon. Previously, the stormwater discharged to the Pacific Ocean through breaches in beach sands. Currently, beach sands continually block the flow and the Discharger maintains large pumps capable of transferring around 100,000 gallons per minute from the lagoon to the Ocean.

Order No. 94-99 requires the Discharger to route all waters accumulated in Neary Lagoon through the City's WWTP until the flow through the plant reaches its design capacity of 17.0 MGD. The Order also requires the Discharger to prepare and implement a Storm Water Pollution Prevention Plan that specifies Best Management Practices (BMPs) dedicated to reducing pollutant concentrations in waters collected in the lagoon. The Order also imposes stringent conditions for the discharge of pump test waters to the Pacific Ocean. The Discharger has always complied with the Order's waste discharge, monitoring, and reporting requirements.

The NPDES permit associated with Order No. 94-99 (NPDES Permit No. CAS049883) expired on October 14, 1999, and the Discharger did not apply for its renewal. The Permit continued in

effect until waste discharge requirements could be replaced with other enforceable requirements, namely, the BMPs discussed below.

On April 14, 2009, the Executive Officer enrolled the Discharger under the *General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Water Quality Order No. 2003-0005-DWQ, NPDES Permit No. CAS000004)*. The enrollment letter specified conditions, including further development of Best Management Practices and submittal of a draft Final Stormwater Management Plan (SWMP) for staff approval. On June 11, 2009, staff approved the SWMP and found its BMPs adequately substituted for the waste discharge requirements in Order No. 94-99.

#### **DISCUSSION**

The Discharger's implementation of the BMPs will protect the Pacific Ocean's beneficial uses equivalently to compliance with Order No. 94-99's waste discharge requirements.

#### **COMMENTS**

City of Santa Cruz Public Work Department – No response.

Santa Cruz County Environmental Health Services – No response.

#### **RECOMMENDATION**

Rescind Waste Discharge Requirements Order No. 94-99

#### **ATTACHMENT**

Waste Discharge Requirements Order No. 94-99  
Monitoring and Reporting Program No. 94-99