

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

RESOLUTION NO. R5-2014-0129

**APPROVAL OF THE
STORM WATER MANAGEMENT PLAN**

FOR THE

**STOCKTON PORT DISTRICT
FACILITY-WIDE STORM WATER DISCHARGES FROM
MUNICIPAL SEPARATE STORM SEWER SYSTEM AND NON-STORM WATER
DISCHARGES FROM THE PORT OF STOCKTON
SAN JOAQUIN COUNTY**

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

1. On 3 February 2011, the Central Valley Water Board adopted Waste Discharge Requirements Order R5-2011-0005 (NPDES Permit No. CAS0084077), prescribing waste discharge requirements for the Port of Stockton Phase I Municipal Separate Storm Sewer System, San Joaquin County. For the purposes of this Resolution, the Stockton Port District is hereafter referred to as the "Permittee."
2. The Permittee is a special district that owns and operates the Port of Stockton (Port) and its storm sewer system. The Port is located within the City of Stockton, which is the largest city in San Joaquin County, with a population of approximately 287,000 persons. In 1997, the Central Valley Water Board issued a municipal separate storm sewer system (MS4) permit to the Permittee that regulated the Port as a medium storm sewer system. The portion of the storm sewer system operated by the City of Stockton is separately regulated under different waste discharge requirements (Order R5-2007-0173).
3. Storm water from the Port area is discharged to the San Joaquin River, part of the Sacramento-San Joaquin Delta. Each of these water bodies are waters of the United States.
4. Order R5-2011-0005 (Order) includes Provisions D.2 and D.3, which require the Permittee to revise the Port's Storm Water Management Plan (SWMP) subject to a public review period and adoption by the Central Valley Water Board.
5. The SWMP includes program elements to reduce the discharge of pollutants in storm water to the maximum extent practicable (MEP), and to effectively prohibit non-storm water discharges into the MS4. As a large industrial facility, the Port is subject to the equivalent discharge standard as other industrial sites (Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technologies (BCT)). Discharge Prohibition A.3 of the Permit defines the MEP standard to be equivalent to the BAT for non-conventional and toxic pollutants and BCT for conventional pollutants for purposes of Waste Discharge Requirements Order R5-2011-0005.

6. The SWMP describes the framework for management of storm water and non-storm water discharges during the term of the Order. The SWMP describes the goals and objectives, legal authority, source identification process, funding sources, fiscal analysis, performance standards, best management practices, an evaluation and improvement process, and monitoring plan for the storm water management program.
7. In accordance with Order R5-2011-0005, the SWMP includes the following program components:
 - a. An inventory of the Port's industrial tenants, including locations and activities;
 - b. Program management, including legal authority and fiscal analysis;
 - c. Program elements (e.g., Construction, Industrial and Commercial, Municipal Operations, Illicit/Illegal Discharge, Public Education and Outreach, Storm Water Planning and Development Standards);
 - d. Baseline Monitoring (e.g., urban discharge, receiving water, East Complex Retention Basin, Port owned industrial, ship loading and unloading, water column toxicity, dry weather field screening);
 - e. Water Quality Based Programs (e.g., Pesticide Plan, Low Dissolved Oxygen Plan, Total Mercury and Methylmercury Control Program);
 - f. Special Studies (e.g., Retention Basin, BMP Effectiveness); and
 - g. Program Effectiveness Assessment and Reporting.
8. Central Valley Water Board staff has reviewed the SWMP and found it to be in compliance with the provisions of the Order.
9. Issuance of this Resolution is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") pursuant to Water Code section 13389.
10. The Central Valley Water Board has notified the Permittee and interested agencies and persons of its intent to approve the SWMP and has provided them with an opportunity to submit their written views and recommendations.
11. All comments pertaining to approval of the SWMP were heard and considered in a public hearing.

THEREFORE, BE IT RESOLVED THAT:

The California Regional Water Quality Control Board, Central Valley Region, hereby approves the Stockton Port District's *Storm Water Management Plan*.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00p.m., 30 days after the date of this Resolution, except that if the thirtieth day following the date of this Resolution falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region, on **10 October 2014**.

Original signed by Pamela C. Creedon

PAMELA C. CREEDON, Executive Officer