

Lake Tahoe Marina Association
Post Office Box 189
Tahoe Vista, CA 96148



February 27, 2014

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

RE: FINAL DRAFT STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR THE DISCHARGE OF STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITIES (INDUSTRIAL GENERAL PERMIT)

State Water Board:

The Lake Tahoe Marina Association represents all 14 commercial marina operations on the California and Nevada sides of Lake Tahoe. These marinas have been operating under ORDER NO. R6T-2011-0024; NPDES NO. CAG616003; WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR STORM WATER RUNOFF ASSOCIATED WITH MARINA OPERATIONS AND DISCHARGES FROM MAINTENANCE DREDGING IN THE LAKE TAHOE HYDROLOGIC UNIT -EL DORADO AND PLACER COUNTIES (Marina General Permit), for several years now. We fully support the goals of the program as Lake Tahoe is a precious and unique natural wonder, and the success of our businesses depends on maintaining its pristine beauty. Although many specifics of the Marina General Permit are unique to our situation, the permit has the same general goals and many common requirements as the Draft Industrial General Permit. Consequently, we are looking at the Industrial General Permit from a position of "experience" in terms of application, which may offer an additional and beneficial perspective to the many comments already received.

21.1

In Section X.H.3 - Temporary Suspension of Industrial Activities - the Draft Industrial General Permit discusses temporary suspension of industrial activities, and allows for the Discharger to "suspend monitoring if it is infeasible to conduct monitoring while industrial activities are suspended (e.g., the facility is not staffed, or the facility is remote or inaccessible) and the facility has been stabilized." During winter months for many of the marinas at Lake Tahoe (our off-season), while our facilities are not remotely located, staffing is reduced to skeleton levels, all boats have been removed from the water and placed in indoor storage, or removed from the property altogether. Service departments are closed. Fueling operations are closed and sealed for the winter for protection from the elements. In some cases, where there is no year-round restaurant or retail business associated with the marina, the parking lot and work areas are left snowed over with no plow service. Our concern is that with the site not being "remotely located" and with some staff present (even if minimal), would we meet the definition that allows for "Temporary Suspension of Industrial Activities"? Expanding this concern to other types of

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businesses in other locations, we see this impacting a wide range of recreational based businesses and seasonal agriculture related businesses, and possibly others. A more complete definition of "Temporary Suspension of Industrial Activities" would allow for these types of businesses to implement appropriate BMP's for the off-season and then suspend inspections and monitoring until the resumption of activities.

21.2

In Section XX.C.2 - Requirements for Dischargers Claiming "No Discharge" through the Notice of Non-Applicability (NONA), one of the requirements is that "The facility is engineered and constructed to have contained the maximum historic precipitation event (or series of events) using the precipitation data collected from the National Oceanic and Atmospheric Agency's website (or other nearby precipitation data available from other government agencies); or so that there will be no discharge of industrial storm water to waters of the United States, including no discharge to groundwater that has a direct hydrologic connection to waters of the United States." We believe that in the case of facilities which do utilize infiltration as a means of storm-water disposal, but are located such that a hydrologic connections to waters of the United States may exist, there are still benefits to infiltration that should not be discouraged. Suspended Solids is a good example of a pollutant that would be filtered out, even when the infiltration galleries are only a short distance from waters of the United States. These dischargers may still not qualify for a NONA, but this situation should be accounted for. A suggestion is to include modifications in the Monitoring, Sampling and Reporting requirements to eliminate testing for constituents readily mitigated through infiltration, while continuing to test for pollutants that could pass through to the waters of the United States.

Thank you for the opportunity to offer our thoughts. We are available to discuss any of our experience to date with regard to the Marina General Permit as it may apply to, or help this effort with the Industrial General Permit

Sincerely,



M. Elie Alyeshmerni
President, Lake Tahoe Marina Association

Cc: Patty Kouyoumdjian