



# California Regional Water Quality Control Board

## North Coast Region

John W. Corbett, Chairman



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### **NOTICE of PUBLIC WORKSHOP AND CEQA SCOPING MEETING**

#### **Concerning the development of an amendment to the Regional Water Quality Control Plan for the North Coast Region to address Low Threat Discharges**

**NOTICE IS HEREBY GIVEN** that the North Coast Regional Water Quality Control Board (Regional Water Board) staff will hold a California Environmental Quality Act (CEQA) scoping meeting to seek input on the environmental information that should be considered in the development and adoption of an amendment to the Water Quality Control Plan for the North Coast Region (Basin Plan) to address low threat discharges.

#### **BACKGROUND**

The development of a Low Threat Discharge Amendment is necessary to provide exceptions to the Basin Plan seasonal point source discharge prohibitions. The amendment would create specific exceptions for discharges that can demonstrate no adverse impact on water quality and for which there are no other reasonable discharge alternatives. One possible method of providing the exceptions would be the development of a point source action plan related to low threat discharges, including incidental runoff of potable and recycled water. The scope of Regional Water Board staff considerations on this issue are listed in the attached informational document.

#### **PURPOSE OF CEQA SCOPING**

The purpose of the scoping meeting is to provide a forum for early public consultation on the development of the Low Threat Discharge Amendment. This consultation will assist the Regional Water Board in determining what environmental information responsible and trustee agencies, as well as other interested parties, may require to analyze the potential environmental impacts of the proposed amendment.

Scoping is helpful to the Regional Water Board in identifying the range of actions, alternatives, mitigation measures, and significant environmental effects to be analyzed prior to the decision making process. Scoping has been found to be an effective way to bring together and resolve the concerns of affected federal, State, and local agencies, the proponent of the actions, and other interested persons including those who might not be in accord with the proposed actions on environmental grounds. A quorum of Regional Water Board members may be present at the scoping meeting; however, no action will be taken by the Regional Water Board at the scoping meeting.

The public meeting, in accordance with the requirements of CEQA, will allow interested parties to provide comments on the potential environmental impacts from development and implementation of an amendment to the Basin Plan to allow for low threat discharges during periods when the Basin Plan prohibits all point source discharges to surface waters. Regional Water Board staff will present an overview of the scientific and technical principles underlying

*California Environmental Protection Agency*

*Recycled Paper*

the amendment and will discuss potential elements of the amendment that are being considered, including definitions of low threat discharge and incidental runoff, and a proposed general permit and an action plan to exempt low threat discharges from Basin Plan seasonal discharge prohibitions. An initial CEQA Scoping Meeting was held on this issue in August 2005. This project has since been on hold due to other higher priority projects and a shortage of Basin Planning staff.

## **SCOPING MEETING**

**Date:** April 26, 2007

**Time:** Beginning no earlier than 1:30 p.m.

**Place:** North Coast Regional Water Quality Control Board, Hearing Room, 5550 Skylane Boulevard, Suite A, Santa Rosa, CA 95403

## **DOCUMENT AVAILABILITY**

An informational document describing the need for the amendment and proposed elements for the amendment may be obtained via the Internet on the Regional Water Board Web site at <http://www.waterboards.ca.gov/northcoast/programs/basinplan/basin.html> . You may also receive a paper copy of the proposed Low Threat Discharge Amendment informational scoping document by writing to Ms. Lauren Clyde, NCRWQCB, 5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403 or email: [lclyde@waterboards.ca.gov](mailto:lclyde@waterboards.ca.gov). You can also contact staff at (707) 576-2220 for additional information.

## **WHO SHOULD ATTEND**

Municipal stormwater dischargers; reclamation entities; city, county and private water management officials; construction industry representatives; water well drillers; representatives of industries with potential low threat discharges; members and representatives of tribes; environmental groups; and other interested groups or individuals.

## **SUBMISSION OF CEQA SCOPING COMMENTS**

The Regional Water Board will accept both written and oral suggestions on the scope and content of the information included in the scoping documents. Comments should be limited to identifying the range of actions, alternatives, mitigation measures, and potential significant environmental effects to be analyzed in-depth in the development of this project. All submissions must be received on or before April 26, 2007. Written comments should be submitted to: Ms. Lauren Clyde, NCRWQCB, 5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403. (Fax: 707-523-0135 or email: [LClyde@waterboards.ca.gov](mailto:LClyde@waterboards.ca.gov) .

## **PARKING AND ACCESSIBILITY**

For directions and location information, please refer to:

<http://www.waterboards.ca.gov/northcoast/contact.html/> . The facility is accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Jean Lockett, executive assistant, at (707) 576-2307 or [JLockett@waterboards.ca.gov](mailto:JLockett@waterboards.ca.gov) at least five days prior to the meeting. TTY/TDD/Speech-to-Speech users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

**INFORMATIONAL DOCUMENT**

**Public Scoping Meeting for the  
Low Threat Discharge Amendment to  
The Water Quality Control Plan  
for the North Coast Region**

**March 16, 2007**

## **Introduction**

The North Coast Regional Water Quality Control Board (Regional Water Board) is considering adopting an amendment to the Basin Plan to address low threat discharges to surface waters. This document provides a summary of issues that need to be addressed, background information on the need for the amendment, and elements that may be included in the proposed amendment.

## **Background**

The federal Clean Water Act requires that point source discharges of pollutants to waters of the United States be permitted in accordance with the national Pollutant Discharge Elimination System. The Water Quality Control Plan for the North Coast Region (Basin Plan) contains seasonal prohibitions against all point source discharges to certain surface waters during the period May 15 to September 30 of each year as well as year-round prohibitions for discharges to other specified waterbodies.

Regional Water Board staff finds there are categories of discharge that are periodic, low volume discharges to surface waters that may not impact water quality. Examples of such discharges include, but are not limited to, incidental irrigation runoff of recycled or potable water, construction dewatering, groundwater well development discharges, and discharges resulting from disinfection of water supply infrastructure.

The Low Threat Discharge Basin Plan Amendment is necessary to provide exceptions to the Basin Plan point source discharge prohibitions for discharges that can be demonstrated as not having an adverse impact on water quality and for which there are no other reasonable discharge alternatives.

## **Considerations**

Regional Water Board staff is considering the following approach to address low threat discharges in relation to the existing prohibitions.

### **A. Two categories of discharges are anticipated to be covered by the proposed amendment:**

1. Low Threat Discharges
  - a. Definition: A low threat discharge is a planned short-term and/or low volume discharge from a definable project that meets all applicable water quality objectives (including the State and federal antidegradation objectives), without additional dilution.
  - b. Examples of discharges potentially meeting the above definition may include, but are not necessarily limited to, the following:
    - i. Discharges associated with construction dewatering.
    - ii. Discharges associated with water supply well installation, development, test pumping and purging.

- iii. Discharges resulting from the maintenance of uncontaminated water supply wells, pipelines, tanks, and reservoirs.
  - iv. Discharges resulting from hydrostatic testing of water supply vessels, pipelines, tanks, etc.
  - v. Discharges resulting from the disinfection, flushing or cleaning of water supply pipelines, tanks, reservoirs, etc.
  - vi. Commercial cooling tower water.
  - vii. Swimming and landscape pool drainage.
  - viii. Other similar types of wastes that pose a low threat to water quality yet technically must be regulated under a permit.
- c. Possible Implementation Approach:
- i. Submittal of a permit application (Report of Waste Discharge, Notice of Intent or NPDES Permit applications) describing project and demonstrating that project qualifies as low threat discharge.
  - ii. Require monitoring and reporting program.
  - iii. Submittal of a written request for a prohibition exemption that considers alternatives to discharge, waste characterization and complete description of any required treatment systems.

## 2. Incidental Runoff

- a. Definition: Incidental runoff is a category of low threat discharge. It is an unanticipated, infrequent discharge of water that meets all applicable water quality standards. These types of discharges may be considered point-source discharges when associated with certain municipal, industrial or construction storm water programs.
- b. Examples of discharges potentially meeting the definition:
- i. Runoff of recycled or potable water resulting from an unanticipated broken sprinkler head, stalled irrigation reel, etc.
  - ii. Discharge of potable or recycled water resulting from an unanticipated broken water line.
  - iii. Discharges from breaks of equipment that are the result of deferred or poor equipment maintenance would not be considered "unanticipated" under this amendment.
- c. Possible Implementation Approach
- i. Provide an exception to seasonal discharge prohibition for incidental runoff incidents that meet specific criteria (e.g., accidental, infrequent, not due to neglect of maintenance, etc.).
  - ii. Require permit holders to prepare management plans to avoid, minimize or mitigate such discharges.
  - iii. Require monitoring and reporting following a release, including a description of response to the incident and steps to be taken to prevent such discharges in the future.

**B. Areas of Basin Plan considered for amendment**

1. Add a new Action Plan for Low Threat Point Source Discharges to the Basin Plan.
2. Modify Action Plan for Storm Water Discharges to clarify that it supersedes the seasonal discharge prohibition.
3. Modify other applicable sections of the Basin Plan, if necessary.

**C. Additional considerations**

1. Amendment would be applicable to all point source discharges region-wide.
2. Amendment would be applicable to periodic, short-term, and/or low volume discharges that meet all applicable water quality objectives and must be permitted.
3. Amendment would create accountability for low threat discharges.