

Supplemental for Item 7.

Municipal Regional Stormwater NPDES Permit – Final Tentative Order

We have made revisions to the Final Tentative Order that are clarifications and typographic corrections, and do not include any substantive changes to the requirements of the Final Tentative Order.

This Supplemental consists of:

A table of the revisions to the Final Tentative Order including the specific section or provision, page number, and reason for the revision.

and

The Final Tentative Order with the supplemental revisions in redline/strikeout.

Final Tentative Order Supplemental Revisions

Municipal Regional Stormwater Permit

NPDES No. CAS612008

Section / Provision No.	Page No.	Proposed Changes to Final Tentative Order dated September 24, 2009	Reason
Add new Finding 16.	7	16. Federal, State or regional entities within the Permittees' boundaries, not currently named in this Order, operate storm drain facilities and/or discharge stormwater to the storm drains and watercourses covered by this Order. The Permittees may lack jurisdiction over these entities. Consequently, the Water Board recognizes that the Permittees should not be held responsible for such facilities and/or discharges. The Water Board will consider such facilities for coverage under its NPDES permitting scheme pursuant to US EPA Phase II stormwater regulations. Under Phase II, the Water Board can permit these federal, State, and regional entities through use of the Statewide Phase II NPDES General Permit.	Clarification
Findings 16-18	7	Change numbering to Findings 17-19	Following change above
Finding 18. (new Finding 19)	7	Change Permit Effective Date from July 1, 2009, to December 1, 2009	Typo
C.3.b.ii.(1)(e)&(f)	19	Change C.3.b.ii.(1)(i)-(iv) to C.3.b.ii.(1)(a)(i)-(iv)	Typo
C.3.b.ii.(1) Effective Date	19	Change C.3.b.i.(1) to C.3.b.ii.(1)	Typo
C.3.e.iv.(1)	34	Change C.3.c.i-ii to C.3.e.i-ii	Typo
C.3.e.iv.(4)	34	Change C.3.e.i to C.3.e.i-ii	Typo
C.3.g.v.(3) 1 st bullet	38	Change C.3.g.vi.(2) to C.3.g.v.(2)	Typo
C.8.a 3 rd sentence, 3 rd paragraph	64	Add " Long-Term Monitoring. " This sentence was/is intended to provide flexibility in the design of C.8.e monitoring, both Pollutants of Concern and Long-Term Monitoring.	Clarification
C.8.b	65	Replace RMP monitoring objectives with management questions: Are chemical concentrations in the Estuary potentially at levels of concern and are associated impacts likely? What are the concentrations and masses of contaminants in the Estuary and its segments? What are the sources, pathways, loadings, and processes leading to contaminant related impacts in the Estuary? Have the concentrations, masses, and associated impacts of	Update to current information about the Regional Monitoring Program

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		<p>contaminants in the Estuary increased or decreased?</p> <p>What are the projected concentrations, masses, and associated impacts of contaminants in the Estuary?</p> <p>Likewise, change footnote 20 on page 65 to reference “management questions” agreed upon in the RMP Steering Committee meeting of 5-09-08.</p>	
Table 8.1	67, 69	For Biological Assessment; Toxicity – Bedded Sediment; and Pollutants – Bedded Sediment: Change references to Attachment G and Table G-1 in last column to Attachment H and Table H-1	Label error
Table 8.1	67	Footnote 24: add “...for a subset of sites where sediment chemistry and toxicity samples are collected as required in Table 8.1 ”	Clarification
Table 8.1	67	Footnote 28: after “Technical Report 563” insert: “...and current SWAMP-approved updates to Standard Operating Procedures therein. ”	Clarification
Table 8.1	68	Footnote 29: delete “and stream depth”, as was previously done to Footnote 25.	Error
Table 8.1	69	Pathogen Indicators row, last column: delete phrase in parentheses “this involves multiple values”.	Clarification
Table 8.1	69	Footnote 33: delete analyte list and accompanying reference. Toxicity testing does not involve analytes.	Error
Table 8.1	69	Footnote 34: insert “ et al. 2000 ” after “MacDonald” and reference Table 8.4 after the word “pyrethroids” at the end of the first sentence. Add the MacDonald reference information.	Clarification
Table 8.1	69	Footnote 36: reference EPA 2004 FINAL guidance, March 2004.	Clarification
Table 8.2	70	Add San Francisquito Creek and tributaries to SCVURPPP column.	Oversight
C.8.d.(iii)(3)	73	Replace reference to provision C.8.g.(iii) with C.8.g.(v).	Error
C.8.e.(iii) 2 nd paragraph	74-75	Change “Permittees shall conduct Long-Term monitoring pursuant to Table 8.4 Category 3 and 4 .” Change subsequent Category 4 references to Category 3.	Simplification
Table 8.4	75-76	Place “ Category 3 – Toxicity–Water Column ” parameters into Category 1, so that all wet-weather sampling is in one category.	Simplification

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C.8.g.i. End of paragraph	77	Add: " The preceding reporting requirements shall not apply to continuing or recurring exceedances of water quality standards previously reported to the Water Board or to exceedances of pollutants that are to be addressed pursuant to Provisions C.8 through C.14 or this Order in accordance with Provision C.1. "	Clarification
Provision C.8.g.iii. First sentence	77	Change due dates: the initial report due March 15, 2044 12 , unless the Permittees choose to monitor through a regional collaborative, in which case the due date is March 15, 2042 13 .	Error
C.9	80	Include TMDL Waste Load Allocation information in introductory paragraph.	Clarification
C.11	88	Include TMDL Waste Load Allocation information in introductory paragraph.	Clarification
C.11.c.ii.(1) C.12.c.ii.(1)	89, 97	Delete last sentence: "Permittees are responsible for contaminants located on Permittees' public right-of-ways and the stormwater..."	Clarification
Provision C.11 and C.12	90-94 96 98-101	Change final reporting submittal for all C.11 and C.12 sub-provisions from "2013 Annual Report" (due on September 15, 2013), to "March 15, 2014" (Integrated Monitoring Report due date) to allow more time for monitoring results to be analyzed. Replace the reference to "2013 Annual Report" with March 15, 2014 Integrated Monitoring Report" in the following Provisions. <ul style="list-style-type: none"> • C.11.d.(iii)(2) • C.11.e.(iii)(2) • C.11.f.(iii)(3) • C.11.g.(iii)(2) • C.11.h.(iii) • C.11.i.(iii) • C.11.j.(ii) • C.12.b.(iii)(4) • C.12.c.(iii)(4) • C.12.d.(v) • C.12.e.(iv)(2) • C.12.f.(iii)(3) • C.12.h.(iii) • C.12.i.(iii) 	Allow additional time for report preparation
C.15. 1 st paragraph	108	Change the second sentence as follows: "In order for exempt non-stormwater discharges to be conditionally exempted from Discharge Prohibition A.1., Permittees must identify appropriate BMPs, monitor the non-stormwater discharges where necessary, and ensure implementation of effective control measures – as listed below – to eliminate ..."	Clarification

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C.16	117	Insert “and in paper copy upon request” and delete “hard copy” in the first sentence.	Clarification
C.20	118	To avoid a lapse in permit coverage immediately upon adoption, add language shown in bold below: "Order Nos. 99-058, 99-059, 01-024, R2-2003-0021, and R2-2003-0034 are hereby rescinded on the effective date of this order, which shall be December 1, 2009, provided that the Regional Administrator of USEPA, Region IX, does not object. "	Clarification
Attachment A	A-3 A-4 A-6	Update sample entries, footnotes, and instructions for Provision C.3.b. Sample Reporting Table to reflect alternative compliance options in Provision C.3.e. of the Final Tentative Order.	Oversight
Attachment B	B-4 B-5	Correct HM Map references in text and add labels to HM Maps	Label error
Attachment D	D-3	Correct HM Map references in text and add labels to HM Maps	Label error
Attachment E	E-3	Correct HM Map references in text and add labels to HM Maps	Label error
Attachment F	F-3	Correct HM Map references in text and add labels to HM Maps	Label error
Attachment H	H-2	Change references from “G-1” to “H-1” .	Typo
Attachment K	K-1 to K-12	Remove General Provisions B, C.5, C.6.c.ii. and E.1,2,7,8,9,10,16 and 17. Re-number remaining Provisions. Replace reference to “Regional Board” with “Water Board.”	Clarification
Throughout		Minor spelling and format edits, including references to “the” Permittees	Typo