

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2002-0192

WASTE DISCHARGE REQUIREMENTS
FOR
CITY OF CHICO
SYCAMORE POOL OPERATIONS — BIG CHICO CREEK
BUTTE COUNTY

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

1. The city of Chico (hereafter Discharger) operates a swimming pool, Sycamore Pool, in the channel of Big Chico Creek at the One-Mile Recreation Area in Bidwell Park. The pool is periodically cleaned, resulting in discharges that, due to their sediment load, could impact waters of the state. The facility is in the city of Chico in Section 26, T22N, R1E, MDB&M, as shown on Attachment A, a part of this Order. Property adjacent to the pool (Assessor's Parcel No. 005-31-001) is owned by the city of Chico. Wastewater from the cleaning operations is discharged to one of two topographical depressions near Sycamore Pool.
2. Waste Discharge Requirements (WDRs) Order No. 94-140, adopted by the Regional Board on 20 May 1994, prescribes requirements for cleaning of Sycamore Pool to ensure that sediments disturbed by the cleaning operations do not degrade Big Chico Creek.
3. Order No. 94-140 does not reflect the current plans and policies of the Regional Board nor current operations at the pool. The purpose of this Order is to rescind Order No. 94-140 and update WDRs to be consistent with current Regional Board plans and policies and with existing pool operations.
4. The Sycamore Pool is a concrete swimming pool constructed in the channel of Big Chico Creek in Bidwell Park and is operated by the city of Chico Park Department. The pool was built in the 1920s. Water levels in the pool are controlled by a flashboard dam, with high boards in place during the operating season, Memorial Day through Labor Day weekends, and low boards in place the rest of the year.
5. Near the end of May each year, before the pool opens, the Discharger removes accumulated sediment and debris deposited during the prior rainy season and replaces the low dam boards with high boards. The pool is cleaned weekly during the operating season to remove algae. After the operating season is over, the low dam boards are reinstalled.

6. Cleaning was formerly performed while the creek was still flowing through the pool, resulting in turbid conditions downstream. In 1997, the Discharger constructed a 5-foot wide by 3-foot high culvert under the pool so that the creek could be diverted out of the pool during cleaning operations. This has resulted in consistent compliance with the Order No. 94-140 over the last several years.
7. While the pool is being cleaned, a small amount of creek water bypasses the culvert. Water is also added during cleaning operations to transport algae and sediment dislodged by cleaning equipment. During cleaning, this surplus water flows to a sump from where it is continuously pumped to one of two topographical depressions on the park grounds near the pool. Wastewater from cleaning operations does not enter Big Chico Creek.
8. The Regional Board adopted a Water Quality Control Plan, Fourth Edition, for the Sacramento River Basin and the San Joaquin River Basin (hereafter Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation plans and policies for protecting waters of the basin, including plans and policies adopted by the SWRCB and incorporated by reference into the Basin Plan. These requirements implement the Basin Plan.
9. The public health aspects of the pool operation are governed by a Butte County public health directive. Swimming activities periodically result in fecal coliform levels exceeding values established in the Basin Plan to protect people from pathogenic organisms. The Discharger collects fecal coliform samples daily during the swimming season.
10. The discharge is within the Red Bluff Hydrologic Area (No. 504.20) as depicted on interagency hydrologic maps prepared by the Department of Water Resources (DWR) in August 1986. Surface water drainage is to Big Chico Creek.
11. Average annual rainfall at the site is about 23 inches, according to Mean Annual Precipitation in the California Region, 1969 (compiled by S.E. Rantz).
12. The beneficial uses of Big Chico Creek are agricultural supply; water contact recreation; non-contact water recreation; warm and cold freshwater habitat; wildlife habitat; migration of aquatic organisms; and spawning, reproduction, and/or early development of fish.
13. The beneficial uses of underlying groundwater are agricultural supply, industrial service supply, and industrial process supply.
14. State Water Resources Control Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California*, (hereafter Resolution 68-16) requires the Regional Board, in regulating the discharge of waste, to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with the maximum benefit to the people of the State, will not

- unreasonably affect beneficial uses, and will not result in water quality less than that described in the Regional Board's policies (e.g., quality that exceeds water quality objectives).
15. Wastewater containing sediment and algae and discharged to the grounds of Bidwell Park have no potential to cause surface water or groundwater degradation.
 16. Section 13267(b) of the California Water Code (CWC) states, in part, that "In conducting an investigation specified in subdivision (a), the Regional Board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging or who proposes to discharge within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters of the state within its region shall furnish under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs of these reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports." Monitoring and Reporting Program No. R5-2002-0192 is necessary to assure compliance with these waste discharge requirements.
 17. The action to adopt waste discharge requirements for this facility is exempt from the provisions of the California Environmental Quality Act (CEQA), in accordance with Title 14, California Code Regulations (CCR), Section 15301.
 18. The discharge authorized herein is exempt from the requirements of Title 27 CCR. The exemption, pursuant to Section 20090(b), is based on the following:
 - a. The Regional Board is issuing these waste discharge requirements;
 - b. These waste discharge requirements implement the Basin Plan and allow discharge only in accordance with the Basin Plan; and
 - c. The wastewater does not need to be managed according to 22 CCR, Division 4.5, Chapter 11, as a hazardous waste.
 19. The Regional Board has considered the information in the attached Information Sheet in developing the Findings of this Order. The attached Information Sheet is part of this Order.
 20. The Regional Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written comments and recommendations.

21. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the city of Chico, its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. The discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. Discharge of waste classified as “hazardous” as defined in Sections 2521(a) of Title 23, CCR, Section 2510, et seq., or “designated,” as defined in Section 13173 of the CWC, is prohibited.

B. Discharge Specifications

The discharge shall not cause turbidity in excess of the following in Big Chico Creek:

Where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed 1 NTU.

Where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent.

Where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs.

Where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

C. Groundwater Limitations

The discharge, in combination with other sources, shall not cause underlying groundwater to contain waste constituents in concentrations statistically greater than background water quality.

D. Provisions

1. The Discharger shall comply with Monitoring and Reporting Program No. R5-2002-0192, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.
2. The Discharger shall comply with the Standard Provisions and Reporting Requirements for Waste Discharge Requirements, dated 1 March 1991, which are

incorporated herein and made part of this Order. This attachment and its individual paragraphs are commonly referenced as Standard Provision(s).

3. In the event of any change in control or ownership of land or waste discharge facilities described herein, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this office. To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Regional Board, and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state that the proposed owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. Transfer shall be approved or disapproved by the Executive Officer.
4. The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Violations may result in enforcement action, including Regional Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.
5. A copy of this Order shall be kept at the discharge facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.
6. The Regional Board will review this Order periodically and will revise requirements when necessary.

I, THOMAS R. PINKOS, Acting Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 18 October 2002.

Original signed by

THOMAS R. PINKOS, Executive Officer

RB: sae

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. R5-2002-0192
FOR
CITY OF CHICO
SYCAMORE POOL OPERATIONS — BIG CHICO CREEK
BUTTE COUNTY

CLEANING MONITORING

The Discharger shall obtain samples upstream of the diversion structure and 300 feet downstream of the Sycamore Pool dam once per month during pool drawdown and cleaning. Samples shall be obtained six inches below the water surface no sooner than one hour after cleaning begins and before cleaning ends. Samples shall be analyzed for turbidity in accordance with the most recent edition of *Standard Methods for the Examination of Water and Wastewater*.

FECAL COLIFORM MONITORING

Big Chico Creek shall be monitored for fecal coliform immediately upstream of the Sycamore Pool and immediately upstream of the dam (at the toe of the pool) weekly from 1 June through 30 September and monthly throughout the rest of the year.

REPORTING

In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly the compliance with waste discharge requirements.

Monitoring reports shall be submitted to the Regional Board by the **first day of the second month** following data collection.

The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported to the Regional Board.

Upon written request of the Regional Board, the Discharger shall submit a report to the Regional Board by 30 January of each year. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the Discharger

shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the waste discharge requirements.

The Discharger shall implement the above monitoring program as of the date of this Order.

Ordered by: _____ **Original signed by** _____
THOMAS R. PINKOS, Executive Officer

18 October 2002

(Date)

RB: sae