



Central Valley Regional Water Quality Control Board

13 February 2026

Ray McPadden, Superintendent
USDI, National Park Service
Yosemite National Park
P.O. BOX 700-W
El Portal, CA 95318

VIA EMAIL
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NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2022-0006-03 FOR LIMITED THREAT DISCHARGES TO SURFACE WATER; THE UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, YOSEMITE NATIONAL PARK, EL PORTAL WASTEWATER TREATMENT FACILITY PROJECT, MARIPOSA COUNTY

Our office received a Notice of Intent (NOI) on 15 January 2026 from U.S. Department of Interior, National Park Service, Yosemite National Park (hereinafter Discharger), for discharge of construction groundwater to percolation ponds which are hydraulically connected to the Merced River, for enrollment under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order) R5-2022-0006-03. Based on the NOI and subsequent information submitted by the Discharger, staff has determined that the El Portal Wastewater Treatment Facility Project (Project) meets the required conditions for approval under the Limited Threat General Order, as a construction dewatering project. This Project is hereby assigned Limited Threat General Order R5-2022-0006-042 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2022-0006-042**, in your correspondence and submitted documents.

The Project activities shall be operated in accordance with the requirements contained in the Limited Threat General Order and as specified in this NOA. You are urged to familiarize yourself with the entire contents of the enclosed [Limited Threat General Order](#) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2022-0006-03_amended.pdf)

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Limited Threat General Order incorporates the requirements of the California Toxics Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005, also known as the State Implementation Policy (SIP). Screening levels for CTR constituents and other constituents of concern are found in Attachment I of the Limited Threat General Order.

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

Review of your water quality data in comparison to the screening values showed reasonable potential for the discharge to cause or contribute to an exceedance of Total Aluminum and Total Suspended Solids (TSS) water quality objectives in the Merced River. However, the Discharger anticipates the constituents will consistently remain below the established effluent limits. If required, the Discharger is prepared to provide treatment to address the water quality concern by reducing constituent(s) concentrations below water quality objectives; therefore, the Project qualifies for the Limited Threat General Order.

PROJECT DESCRIPTION

The Project is located at the El Portal Wastewater Treatment Facility (Facility) in Mariposa County. The Discharger provides sewerage service for the community of El Portal and the Yosemite Valley in Yosemite National Park and serves a population of approximately 2,200 permanent residents and up to 20,000 visitors per day to the park during peak summer months. Attachment A to this NOI shows the Project location. The Discharger has major planned upgrades to the Facility that is estimated to be completed in 2028. The Facility upgrades include a complete overhaul of the treatment train, including new preliminary and secondary treatment stages, flow equalization, and sludge dewatering. Furthermore, the Discharger intends to update the existing tertiary treatment and UV disinfection systems.

The Project consists of dewatering groundwater during the excavation phase of construction. Groundwater extracted during excavation will be diverted via sump pumps and dewatering wells into a temporary storage tank prior to being discharged to the existing percolation ponds; these ponds serve as a common discharge point for both the extracted groundwater and the Facility's treated wastewater. The percolation ponds are hydraulically connected the Merced River, a water of the United States.

The discharge is expected to be ongoing for approximately 339 days. The maximum daily discharge is estimated to be around 0.45 million gallons per day (MGD). Surrounding groundwater was sampled to estimate expected concentrations of extracted groundwater during construction and was found to contain TSS and Aluminum (Total) in concentrations that exceed water quality objectives. While the Discharger does not anticipate constituent concentrations will exceed the effluent limits established in this NOA, contingency plans have been developed should any exceedances occur.

DISCHARGE PROHIBITIONS

Discharge prohibitions are specified in Section IV Discharge Prohibitions of the Limited Threat General Order. Based on the information provided in the NOI, the following discharge prohibitions are applicable to this discharge:

- Prohibition IV.A
- Prohibition IV.B
- Prohibition IV.C
- Prohibition IV.D. The discharge flow rate shall not exceed 0.45 MGD.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. Effluent Limitations and Discharge Specifications of the Limited Threat General Order. Based on the information provided in the NOI, effluent limitations are only required for the parameters identified in items 1-6, below:

1. **pH (Section V.A.1.b.i).** The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Lake in Modoc County) shall at all times be within the range of 6.5 and 8.5.
2. **Whole Effluent Toxicity, Chronic (Section V.A.2.a).** There shall be no chronic toxicity in the discharge.
3. **Whole Effluent Toxicity, Acute (Section V.A.3.a).** Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:
 - i. 70%, minimum for any one bioassay; and
 - ii. 90%, median for any three consecutive bioassays.
4. **Electrical Conductivity (Section V.A.1.d).** The monthly average effluent electrical conductivity shall not exceed 700 µmhos/cm.
5. **Constituents and Parameters of Concern (Section V.A.1.e).** The following constituents and parameters in Table 1 below have been identified as having reasonable potential to cause or contribute to an in-stream excursion from water quality objectives and shall not exceed the effluent limitations as listed.

Table 1. Effluent Limitations for Constituents and Parameters of Concern

Parameter	Units	Average Monthly Effluent Limitations	Maximum Daily Effluent Limitations	Section Reference
Aluminum, Total	µg/L	310	620	V.A.1.e, Table 3A
Total Suspended Solids (TSS)	mg/L	10	20	V.B.1.a Table 9

The Merced River is not listed under the Clean Water Act 303(d) List of impaired water bodies. Therefore, no additional 303(d) based effluent limitations or monitoring requirements will be added to this Limited Threat Notice of Applicability.

RECEIVING WATER LIMITATIONS

The Limited Threat General Order includes receiving surface water limitations in Section VIII.A. Based on the information provided in the NOI, only the following receiving surface water limitations are applicable to this discharge:

- Bacteria (VIII.A.2);
- Biostimulatory substances (VIII.A.3);
- Chemical constituents (VIII.A.4);

- Color (VIII.A.5);
- Dissolved oxygen (VIII.A.6.a.i, ii, and iv);
- Floating material (VIII.A.7);
- Oil and grease (VIII.A.8);
- pH (VIII.A.9.a);
- Pesticides (VIII.A.10);
- Radioactivity (VIII.A.11);
- Suspended sediments (VIII.A.12);
- Settleable substances (VIII.A.13);
- Suspended material (VIII.A.14);
- Taste and odors (VIII.A.15);
- Temperature (VIII.A.16.a);
- Toxicity (VIII.A.17); and
- Turbidity (VIII.A.18.a).

SPECIAL PROVISIONS

The Limited Threat General Order contains Provisions in Section IX.C. Based on information provided in the NOI the following site-specific special provisions are applicable to the Project.

Salinity Evaluation and Minimization Plan – The Limited Threat General Order in Section IX.C.3.c requires Dischargers with projects greater than or equal to 180 days in duration to submit and implement a Salinity Evaluation and Minimization Plan to identify and address sources of salinity discharged from the Facility. A Salinity Evaluation and Minimization Plan shall be submitted by **14 May 2026**.

MONITORING AND REPORTING

Monitoring and reporting requirements are contained in Attachment C of the Limited Threat General Order. The Discharger is required to comply with the following specific monitoring and reporting requirements for the effluent in accordance with Attachment C of the Limited Threat General Order.

Monitoring Locations – The Discharger shall monitor the effluent at the specified location as follows:

Table 2. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	A location where a representative sample of the effluent can be collected prior to discharging to the percolation ponds.

Effluent Monitoring – When discharging to the percolation ponds, the Discharger shall monitor the effluent at EFF-001 in accordance with Table C-4 of the Limited Threat General Order and this NOA. The applicable monitoring requirements are as follows in Table 3 and subsequent Table 3 Notes:

Table 3. Effluent Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Discharge Flow Rate	MGD	Calculated	1/Day
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Week
pH	standard units	Grab	1/Week
Turbidity	NTU	Grab	1/Week
Temperature	degrees F	Grab	1/Week
Dissolved Oxygen (DO)	mg/L	Grab	1/Week
Aluminum, Total Recoverable	µg/L	Grab	1/Month
Total Suspended Solids	mg/L	Grab	1/Week
Acute Toxicity	% survival	Grab	1/Project Term
Chronic Toxicity	--	Grab	1/Project Term

Table 3 Notes

- 1. Electrical conductivity, pH, turbidity, temperature, and DO.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
- 2. All parameters, except flow.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
- 3. Acute and chronic toxicity.** Chronic and acute toxicity testing shall be conducted within three (3) months of initiation of discharge. For acute toxicity testing, the test species shall be fathead minnows (*Pimephales promelas*) and the 96-hour results from the chronic toxicity testing data can be used. See the Monitoring and Reporting Program (Attachment C, Section V) for toxicity monitoring requirements.
- 4. Aluminum.** Results can be evaluated from samples that have been passed through a 1.5-micron filter.

Receiving Water Monitoring – Not Required. Pursuant to Order R5-2025-0031, the Merced River is currently subject to comprehensive monitoring under the existing NPDES permit for the Facility. To ensure regulatory consistency and avoid duplicative efforts, the monitoring framework established in Order R5-2025-0031 will be relied upon for this NOA.

Monitoring Report Submittals - Monitoring in accordance with the Limited Threat General Order shall begin upon initiation of discharge. Monitoring Reports shall be submitted to the Central Valley Water Board on a quarterly basis, beginning with the **First Quarter of 2026**. This report shall be submitted on **1 May 2026**. All Monitoring Reports shall specify the dates during the monitoring period the discharge did or did not occur. If monitoring samples were not obtained within 24 hours of initiation of the discharge, the Discharger must document the reasons in the corresponding Monitoring Report. If treatment and discharge have not begun there is no need to monitor. However, a certified Monitoring Report must be submitted stating that there has been

no discharge. Table 4, below, summarizes the Monitoring Report due dates required under the Limited Threat General Order. Quarterly Monitoring Reports must be submitted until your coverage is formally terminated in accordance with the Limited Threat General Order, even if there is no discharge during the reporting quarter.

Table 4. Monitoring Periods and Reporting Schedule

Monitoring Period for All Sampling Frequencies	Quarterly Report Due Date
First Quarter (1 January through 31 March)	1 May
Second Quarter (1 April through 30 June)	1 August
Third Quarter (1 July through 30 September)	1 November
Fourth Quarter (1 October through 31 December)	1 February of the following year

GENERAL INFORMATION AND REQUIREMENTS

The Discharger must notify Central Valley Water Board staff within 24 hours of having knowledge of 1) the start of each new discharge and 2) noncompliance. The Central Valley Water Board shall be notified immediately if any effluent limit violation is observed during implementation of the Project.

Discharge of material other than what is described in the application is prohibited. The required annual fee (as specified in the annual invoice you will receive from the State Water Resources Control Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing when the discharge regulated by the Limited Threat General Order is no longer necessary by submitting the Request for Termination of Coverage (Attachment E). If a timely written request is not received, the Discharger will be required to pay additional annual fees as determined by the State Water Resources Control Board.

ENFORCEMENT

Failure to comply with the Limited Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. In addition, late Monitoring Reports may be subject to MMPs or discretionary penalties of up to \$1,000 per day late. When discharges do not occur during a quarterly monitoring period, the Discharger must still submit a quarterly certified Monitoring Report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

We have transitioned to a paperless office; therefore, please convert all documents to a searchable Portable Document Format (pdf). All documents, including Monitoring Reports, written notifications, and documents submitted to comply with this NOA and the Limited Threat General Order, should be submitted to the NPDES Compliance and Enforcement Unit at centralvalleyfresno@waterboards.ca.gov with carbon copy to Jennifer Dolores at jennifer.dolores@waterboards.ca.gov. Jennifer may also be reached by phone at (559) 710-1034.

Please include the following information in the body of the email:

- Attention: NPDES Compliance Unit
- Discharger: U.S. Department of Interior, National Park Service, Yosemite National Park
- Facility: El Portal WWTF Project
- County: Mariposa County
- CIWQS place ID: 222491

Questions regarding the permitting aspects of this NOA, and written notification for termination of coverage under the Limited Threat General Order, shall be directed to Lovdeep Singh of the Central Valley Water Board's NPDES Permitting Unit. Mr. Singh can be reached at (559) 445-5130 or by email at lovdeep.singh@waterboards.ca.gov.

Documents that are 50 megabytes or larger must be transferred to a DVD, or flash drive and mailed to our office, attention "ECM Mailroom-NPDES".

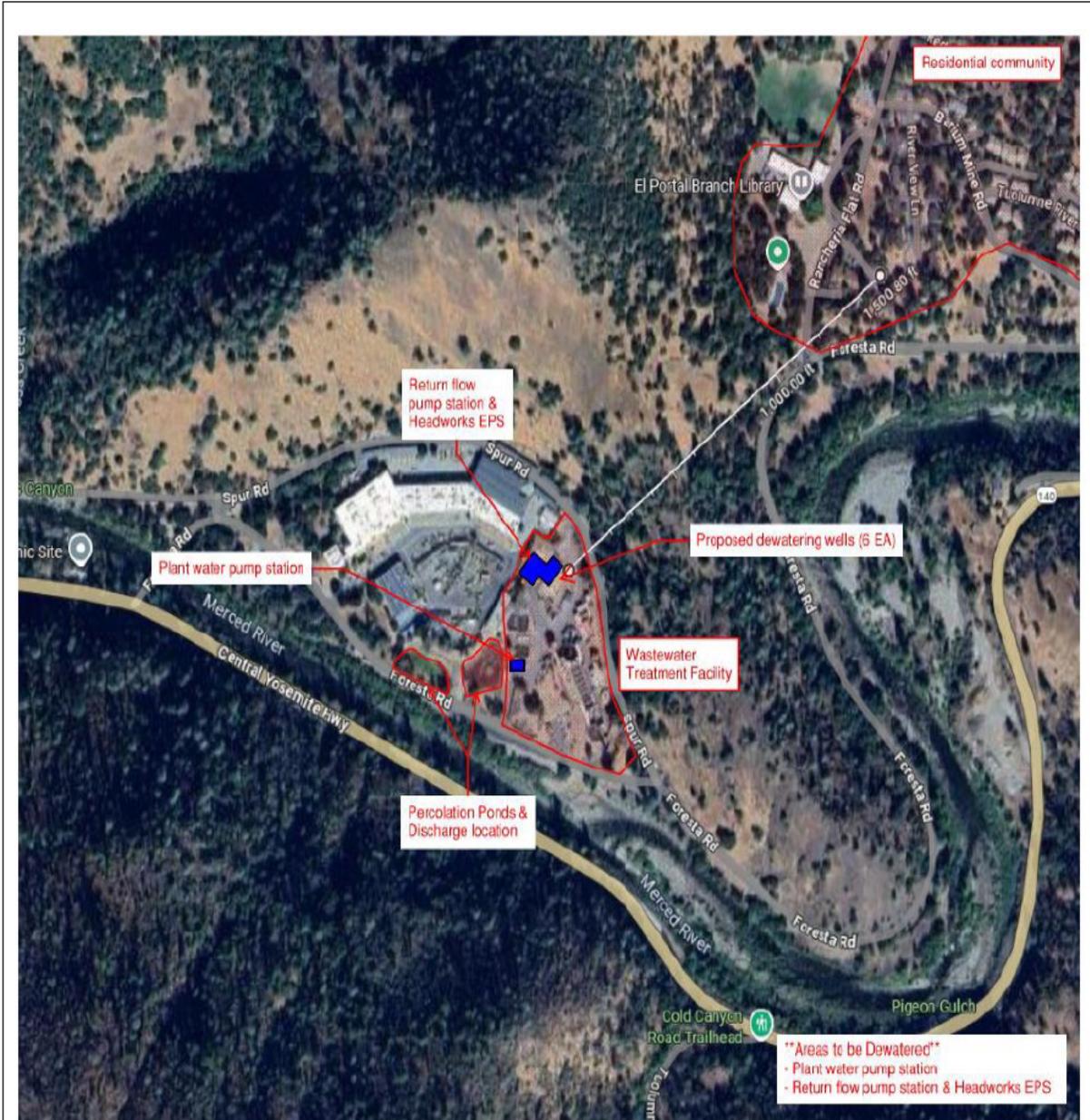
Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Links to the law and regulations applicable to filing petitions may be found on the [Petitions Home Page](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

for Patrick Pulupa, Executive Officer

Enclosures (1): Monitoring Report Transmittal Form (Discharger only)

cc: Peter Kozelka, U.S. EPA, Region IX, San Francisco (email only)
Prasad Gullapalli, U.S. EPA Region IX, San Francisco (email only)
Division of Water Quality, State Water Board, Sacramento (email only)
Michael Trumm, National Park Service, El Portal (email only)
Sean Bittle, National Park Service, El Portal (email only)
Teresa Jakeway, Kiewit Infrastructure West Co. (email only)
Brian Mar, Kiewit Infrastructure West Co. (email only)

ATTACHMENT A – PROJECT LOCATION MAP



Site Location Map

USDI, NPS, YOSEMITE NATIONAL PARK
EL PORTAL, WASTEWATER TREATMENT FACILITY
MARIPOSA COUNTY