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| Permits Committee –  Report to BACWA Board | Permits Committee Meeting on: 5/10/16  Executive Board Meeting Date: 5/20/16  Committee Chair: Amanda Roa |

**Committee Request for Board Action: None**

**18 attendees, representing 12 member agencies**

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| **Adoption of Permits/Permit Amendments:**  **May -** *Mt. View –* The TO contains requirements for additional nutrients monitoring in their marshlands due to concerns about algae and odors. It also requires enhanced reporting via a Marsh Management Plan. Overall the agency is fine with it.  **July –** *Napa* – Napa is fine with their TO, which includes an updated discharge prohibition period. |
| **Microplastics and CECs**   * *Microplastics Workgroup Update –* Nirmela Arsem of EBMUD provided a [presentation](http://bacwa.org/document/permits-microplastics-workgroup-update-presentation-05-10-16/) on the efforts of the Lab Committee Microplastics Workgroup, which is working to identify, characterize and quantify microplastics in wastewater effluent. She discussed the difficulties of digesting natural cellulose and other non-plastic materials. Additionally, some particles that were believed to be plastic were in fact oil and grease. The committee discussed the June 29 Microplastics Workshop that is being planned by SFEI, and how it is important that the methods be validated before attempting to answer other management questions. * *RMP CECs Workgroup Meeting –*The workgroup met on April 15, and ranked potential projects as follows: 1) CEC strategy and continuation of baseline tracking; 2) PFAS synthesis; 3) imidacloprid study; 4) phosphate flame retardant study; 5) bisphenol study; 6) triclosan in small fish study. These projects will be carried out as funding allows. The RMP is looking to transition from grab sampling to passive sampling. Microplastics were not included in this discussion since they are being addressed through a separate effort. |
| **Nutrients**   * + *Optimization/Upgrade Studies –* The consultant team released the first wave of facility reports on May 9 ([see schedule](http://bacwa.org/wp-content/uploads/2016/04/Facility-Report-Schedule.pdf)). Agency point of contacts will be given three weeks to review and sign off on the report. BACWA is planning a workshop in June to go over the facility reports with Members. Agencies will also have the opportunity to hear from the Regional Water Board regarding how this information will be used.   + *Recycled Water Request for Information –* The consulting team will be requesting information from agencies about their 2015 recycled water use, as well as plans to increase recycled water use in the future. The information will be used to estimate nutrient loads removed through consumptive use. Future recycled water plans will be categorized as either “budgeted”, “master planned”, or “conceptual”. The Recycled Water Committee worked to make sure the data generated by this request can be used to satisfy the nutrient effort, the DWR request for information, as well as Urban Water Management Plans. The DWR plans to release its own survey later this spring, and the questions should be the same. Wastewater agencies will need to work with their recycled water distributors/retailers to make sure the information is accurate. The survey will also need to be sent to the upper Napa River dischargers and Ocean dischargers who are not covered by the nutrient watershed permit.   + *Annual Reporting –* HDR provided a [data worksheet](http://bacwa.org/wp-content/uploads/2016/04/BACWA_RFI_GAR_2016-1.xlsx) for agencies to input their data for the Nutrient Annual Report. BACWA has posted a [FAQ](http://bacwa.org/annual-reporting-data-sheet-faqs/) to its website to answer questions about the worksheet. A question came up in committee about the deadline for reporting to HDR. The deadline will be added to the FAQ.   + *Technical Review of Scientific Documents –* BACWA has contracted with LimnoTech to provide review of the data related to the Assessment Framework and associated documents. The Regional Water Board indicated that SCCWRP may be willing to postpone publication of the Assessment Framework manuscript pending LimnoTech review.   + *Nutrient Technical Workgroup –* Call scheduled for June 3 to go over Science Plan update.   + *Next Watershed Permit –* The Regional Water Board has expressed interest in extending the term of the current Nutrient Watershed Permit in exchange for increased funding for the Science Plan. The EPA has indicated they would accept this approach.   + *Lower South Bay Synthesis -* The Lower South Bay Synthesis has been finalized and is [online](http://sfbaynutrients.sfei.org/sites/default/files/2015_LSB_Synthesis_June%202015.b.pdf). One finding is that chlorophyll a concentrations have declined in the last three years, after previously being on the rise. |
| **Drought/Recycling**   * *State General Order for Recycled Water –*The State Water Board proposed an addition to the General Order for Recycled Water that would require Regional permittees, such as those covered by 96-011 to be enrolled in the State General Order within three years of adoption. The Recycled Water Committee put together a [spreadsheet](http://bacwa.org/document/recycled-water-comparison-state-general-order-96-011-05-04-16/) comparing the State General Order and 96-011. BACWA is working on a [comment letter](http://bacwa.org/document/bacwa-comment-state-general-order-wrr-finding-34-5-13-16/) opposing Finding 34 and requesting more time to comment. The letter also requests the ability to comment on the General Order beyond Finding 34, which is what the current comment period is restricted to. The letter also recommends that if Finding 34 is adopted that Regional Permittees should be deemed as enrolled without needing to go through the NOI process. The Regional Water Board supports this approach and is working on it with the State Water Board. In addition, it was recommended that monitoring of priority pollutants be left up to the discretion of the Regional Water Boards. |
| **EPA Selenium Criteria for SF Bay Estuary**  EPA has been in the process developing Selenium Criteria for the SF Bay Estuary for several years. This effort was the subject of litigation, which slowed down the process and led to the Regional Water Board development of the North Bay Selenium TMDL. The EPA plans to release its proposed criteria by the end of June 2016, which will be followed by a 60-day comment period. The fish tissue objective will likely be the same as their freshwater criteria, but it is unknown how they will translate it to a water column objective. This objective will be used in the development of a South Bay Selenium TMDL. The RMP Selenium Workgroup met on May 4, and agreed to recommend funding the selenium strategy, sturgeon derby fish tissue sampling event in FY17. The workgroup also recommended convening a selenium workshop using remaining RMP 2016 funds. Terry Young was in attendance and asked the RMP to develop a monitoring plan that would serve as an early warning system for increased selenium in the Bay. The Selenium workshop that the workgroup plans to hold at the end of August will specifically respond to EPA criteria and develop an early warning system monitoring plan. |
| **Announcements**   * + Wheeler Institute White Paper on Citizen Lawsuits [now available](http://bacwa.org/wp-content/uploads/2016/04/Citizen-Enforcement-and-Sanitary-Sewer-Overflows-in-California-1.pdf). It contains substantial data on the occurrence and details of these lawsuits.   + WateReuse and CASA both take “oppose unless amended” position on SB163 (Hertzberg), proposed bill that would require mandatory 100% recycling of effluent that reaches the Ocean.   + Toxicity – SCCWRP interlaboratory study shows high false positive rate for *ceriodaphnia* using TST.   + The AIR committee will be hosting their annual meeting with the Air District on June 15. All BACWA members are welcome to attend. |
| **Report out from the 4/15 Executive Board meeting and 5/3 Joint meeting with the Regional Water Board**   * Most items covered previously in the agenda. * David Senn gave an update on the Science Plan at the Executive Board meeting. * Santa Clara Valley Water District gave a presentation on their plans to increase IPR in the Lower South Bay at the Executive Board meeting. * *Proposition 1 Proposal Concepts –* The two proposal concepts are to study 1) use of RO concentrate to nourish tidal wetlands; or 2) impacts of freshwater withdrawals from the South Bay and Lower South Bay. At the joint meeting, Tom Mumley expressed support for concept 1, and will set up a meeting with State Water Board staff to discuss. |
| **Next BACWA Permits Committee Meeting:** Tuesday, June 14, Water Board staff to attend. |