

Committee Request for Board Action: None

31 attendees by teleconference, representing 18 member agencies and 3 Regional Water Board staff.

Action items shown in red.

Chlorine Basin Plan Amendment

- The Chlorine Basin Plan amendment was adopted by the Regional Water Board on November 18. Regional Water Board staff estimated that the effective date will be in late 2021, since State Water Board approval is required in addition to OAL and EPA approval.
- The committee discussed the possibility of a blanket permit amendment incorporating new effluent limits and monitoring requirements. Dilution credits would only be incorporated for deep water dischargers. The ED explained that a blanket permit amendment should include both deep and shallow water dischargers, to allow time averaging for all dischargers.

Statewide Toxicity Provisions

- Statewide toxicity provisions were adopted by the State Water Board on December 1. Robert Schlipf from the Regional Water Board presented a summary of key changes to Region 2 NPDES permits that will result from the statewide toxicity provisions, including proposed region-specific requirements. The anticipated effective date is April to June 2021. **Robert's slides will be distributed to the committee.**
- The presentation states that Tier 2 species will be phased out, except in cases where a Tier 1 species is not available. Most Region 2 dischargers use mysid shrimp, a Tier 2 species. Left unresolved is whether dischargers can keep using mysid until they are required to complete a re-screening, or if they will be assigned a new test species upon NPDES permit reissuance. **Committee leadership will pursue this question with RWQCB staff and report back to the committee.**
- Ahead of the meeting, John Madigan of the Regional Water Board distributed proposed toxicity language to be incorporated into Region 2 permits. **Member agency comments will be due to BACWA by mid-January. BACWA will then compile member agency comments and return them to the Regional Water Board by early February.**
- For deep water dischargers with initial dilution of at least 20:1, the draft region-specific requirements include 2x/year surveillance monitoring using a sample concentration of 10% effluent, and 2x/year compliance monitoring at the IWC. The surveillance monitoring will be reported to a yet to be created sampling point so that data is not co-mingled. The Regional Water Board is presuming that the large dilution (small IWC) will result in compliance for these dischargers, thereby qualifying them for quarterly monitoring overall. The specifics of this surveillance monitoring are likely to be a focus of BACWA comments.
- The default plan was to implement the new provisions permit-by-permit. However, the committee members also broached the possibility of removing acute toxicity monitoring requirements as part of a region-wide blanket permit amendment.

Climate Change Surveys Planned by Regional Water Board

- The Regional Water Board described their revised [draft climate change survey](#). BACWA will assist the Regional Water Board in identifying 2-4 volunteers for a "test drive" of the survey to be completed in in Q1 2021.

Alternative Monitoring & Reporting (AMR) Program (Order No. [R2-2016-0008](#))

- The RPM presented the results of a monitoring cost and frequency survey that was completed by committee members. Based on the survey results, it is theoretically possible to replace the current AMR with a new suite of monitoring reductions that continues funding for the RMP Special Studies without including chronic toxicity screening as part of the monitoring reduction.
- The next step is for BACWA to develop a technical package that includes a specific, technically-justified proposal. Regional Water Board staff requested a specific technical justification for each proposed monitoring reduction.

Nutrients

- BACWA will be conducting a survey regarding member agency planning related to nutrients. The survey will inform development of a load cap implementation strategy for discussion with the Regional Water Board.
- Members were invited to the December 18th Executive Board meeting, where subembayment delineation and nutrient trading will be discussed further.
- BACWA ED has prepared a chart illustrating various nutrient-related committees, which will be presented at a future meeting.

Next BACWA Permits Committee Meeting: February 9, 2021