Water Quality Regulatory Agency Hierarchy and Partnerships in the San Francisco Bay Area



U.S. EPA Office of Water (OW)

Sets

policy

for

- · Guided by Clean Water Act (1972)
- Sets national standards for water quality
- Reviews and approves lists of impaired waters and Total Maximum Daily Loads (TMDLs)
- In addition to OW, the EPA has other divisions, such as the Office of Pesticide Programs (OPP) which registers pesticides.²

U.S. EPA directly implements some programs but delegates and oversees most programs to states including in California. (Delegate does not mean regulate. If the State fails to enforce a limit, U.S. EPA could enforce some State requirements).

California Environmental Oversees Protection Agency (CalEPA)

> **Divisions include**: State Water Resources Control Board (see below), Dept. of Pesticide Regulation (DPR)/Sustainable Pest Management; Air Resources Board, Dept. of Toxic Substances Control, CalRecycle, & Office of Environmental Health

> > Sets policy for •

Regulates⁴

Recycled

Regulated by SWRCB and

Regional Water Board orders³ for

production and use of recycled

Recycled Water Agencies and

Committee

WateReuse

Coalition

BACWA Recycled Water

Western Recycled Water

Why is recycled water so complicated

involved? The **SWRCB** is interested in

production and treatment of recycled

water because it's linked to wastewater

treatment process. DDW is concerned with

connections when recycled water is piped

The Regional Water Board oversees

public health and avoiding cross

to a location for public use.

maximizing overall use of recycled water.

and why are so many agencies

National Organization of Water

Water

Organizations

State Water Resources Control Board (State Water Board, SWRCB)

- Designated as the statewide water quality planning agency by the Porter-Cologne Water Quality Control Act (1969)
- Delegated by U.S. EPA to manage Clean Water Act programs protecting "Waters of the U.S." Also protects water quality of "Waters of the State," such as groundwater
- Manages statewide Surface Water Ambient Monitoring Program (SWAMP) Issues order for production and use of recycled water through California Code of
- Regulations (CCR) Title 22

SWRCB's Division of

· Regulates, via permits, public drinking

Drinking Water (DDW)

water supply and distribution systems • Regulates recycled water distribution systems to avoid drinking water and recycled water cross-connections

San Francisco Bay Water Quality Control Board, Region 2 (Regional Water Board)

Establishes water quality objectives; regulates wastewater treatment, stormwater, and some aspects of recycled water. • Periodically updates the San Francisco Bay Basin Plan-the Regional Water Board's main planning document which

- guides Total Maximum Daily Loads (amounts of designated pollutants that can be released to the Bay). TMDLs are enforced by local permits
- Issues stormwater and wastewater National Pollution Discharge Elimination System (NPDES) permits³
- Develops lists of impaired waters (303(d) list) and associated TMDLs
- Issues orders for production and use of recycled water
- Oversees recycled water quality CCR Title 22 enforcement

Regulates⁴

Wastewater Treatment and Discharge

Individual wastewater agencies -- also known as Publicly Owned Treatment Works (POTWs) -- are regulated via National Discharge Elimination System (NPDES) permits to allow a POTW to discharge treated wastewater to a water body. POTWs may also be regulated by air districts and biosolid disposal requirements overseen by CalRecycle and U.S. EPA.

Wastewater Agencies and Organizations

- Wastewater agencies are responsible for local wastewater treatment, as well as regulating business/ industry in the local service area. Wastewater collection services (sanitary sewer systems) connecting to the treatment plant may be the responsibility of the same agency, or a different agency.
- **BACWA** Bay Area Clean Water Agencies. A joint powers authority (JPA) that coordinates with Bay Area wastewater permittees to provide technical expertise, topic-specific workgroups, and regulatory coordination which includes committees for: Pretreatment, BAPPG-Bay Area Pollution Prevention Group (coordinates regional outreach and manages baywise.org), Legislative, Pesticides², Laboratory, Recycled Water, Biosolids, Permits and more
- CASA California Association of Sanitation Agencies, provides information and advocacy on behalf of CA POTWs
- NACWA National Association of Clean Water Agencies, provides federal legislative and regulatory support
- **WEF** Water Environment Federation, nonprofit professional and technical development
- **CWEA** Calif. Water Env Assoc., state affiliate of WEF for
- professional development
- **National Pretreatment Coordinators Group** online technical support network

Wastewater Spill Response

Depending on the situation, spills may need to be reported to California Office of Emergency Services (OES), the County Health Department, local water agencies, and the media. For details, see the latest SSMP (Sanitary Sewer Management Plan, required by the SWRCB and prepared by the local wastewater collection system agency).

Stormwater

Regulated by a single regional NPDES permit, the Municipal Regional Permit (MRP) for Municipal Separate Storm Sewer Systems (MS4s). Co-permittees include Alameda, Contra Costa, San Mateo, and Santa Clara Counties and Fairfield/Suisun/ Vallejo areas. Smaller cities in Marin, Napa, Sonoma, and Solano Counties, as well as non-traditional facilities such as universities and military bases, are covered by a statewide General Permit for Small MS4s. San Francisco has own permit, because it has a combined stormwater/wastewater collection system.

Stormwater Agencies and Organizations

- **Permittees** For permit compliance, local stormwater programs often join together in groups such as the Alameda Countywide Clean Water Program, Santa Clara Valley Urban Runoff Pollution Prevention
- Program, and others **BAMSC** – Bay Area Municipal Stormwater Collaborative for Bay Area co-permittee coordination. Representatives meet monthly internally and also externally with Water Board, Caltrans and others
- Water Agencies Stormwater Programs often partner with a local water agency on water conservation efforts that intersect with stormwater quality (rain barrels, rain gardens, landscaping)
- **CASQA** California Stormwater Quality Association, member organization of stormwater agencies around
 - OurWaterOurWorld.org IPM campaign
 - Best Management Practices (BMPs), source control, regulatory support, legislation, stormwater capture and use

Stormwater Spill Response

Depending on the situation, spills may need to be reported to the fire department, California OES, County Health Department, local water agency, and the media. See the latest Spill Response Plan for Illicit Discharges and Illicit Connections (required by the MRP and typically prepared by a City).

Drinking

Water

Regulates⁴

Regulated via DDW

Drinking Water Supply and Conservation Agencies

- Drinking Water Retailers -Water retailers provide drinking water directly to customers through a metered connection. **Examples include East Bay** Municipal Utility District, Marin Water, Alameda County Water District, Contra Costa Water
- **Drinking Water Wholesalers -**Water wholesalers typically provide treated water to drinking water retailers for distribution to customers. Examples include Valley Water, and San Francisco **Public Utilities Commission's** service to the member agencies of the Bay Area Water Supply & Conservation Agency.

District, and many Bay Area cities.

Water Resources - Local water agencies often have responsibility for water resources management that extends beyond drinking water quality to include watershed protection, flood protection, and groundwater sustainability. Many of these programs intersect with recycled water and stormwater.

Notes:

Wetlands, Flood and Climate Protection Partners

- SFEP San Francisco Estuary Partnership- a nonprofit science organization that manages the Wetlands Regional Monitoring Program (WRMP) and Estuary Blueprint. Updates are presented to stakeholders biennially at the State of the Estuary Conference
- **BCDC** Bay Conservation and Development Commission, authorized by the McAteer-Petris Act to regulate activities in the Bay and shoreline that fill, extract or make any substantial change in use of the land, water, or structures
- USACE U.S. Army Corps of Engineers-constructs federally-approved flood control, sea level rise adaptation and ecosystem restoration projects
- California State Coastal Conservancy (Coastal Conservancy) a non-regulatory state agency that supports projects to protect coastal resources
- California Coastal Commission In coastal areas outside of San Francisco Bay, the Coastal Commission has jurisdiction over infrastructure, public access, and related activities.

- ¹ NPDES permittees must contribute financially as a permit requirement
- ² BACWA communicates with U.S. EPA OPP and CA DPR to address pesticide regulations that impact wastewater quality ³ Orders, regulations and permits are different mechanisms to require compliance with state water quality requirements
- ⁴ "Regulates" means that the Board has enforcement authority



Regional Monitoring and Management Partnerships

- SFEI San Francisco Estuary Institute, a nonprofit science organization that manages the Regional Monitoring Program (RMP), special studies, and GreenPlanIT
 - RMP Partially funded by NPDES permittees, SFEI scientists design sampling programs to gather water quality data to inform regulators and other decision makers. Updates are presented to stakeholders at the RMP Annual Meeting



