

Committee Request for Board Action: None

40 attendees participated remotely, including representatives from 22 member agencies

Receiving Water Limitations

The March 2025 [Supreme Court ruling](#) in *City and County of San Francisco v. USEPA* affects receiving water limits in NPDES permits. The ruling states that the Clean Water Act “does not authorize the EPA to include ‘end-result’ provisions in NPDES permits. Determining what steps a permittee must take to ensure that water quality standards are met is the EPA’s responsibility, and Congress has given it the tools needed to make that determination.” The ruling does not affect state law under the Porter-Cologne Water Quality Control Act. The ruling has delayed [scheduled NPDES Permit reissuances](#) in Region 2, as Regional Water Board staff await guidance from their legal counsel on necessary changes to standard permit language (e.g., possible removal of receiving water limits).

Chronic Toxicity Monitoring

As NPDES permits are reissued, acute toxicity monitoring requirements are being removed and chronic toxicity monitoring requirements are being updated per the [Statewide Toxicity Provisions](#). Region 2 default monitoring frequencies are listed below. Dischargers may qualify for reduced monitoring based on the ten most recent TST results (see pages 22-23 of the Toxicity Provisions):

Routine/Compliance Monitoring -

- 1/Month - if flow Q is ≥ 5.0 MGD
- 1/Quarter - if $1.0 < Q < 5.0$ MGD
- 2/Year - if $Q \leq 1.0$ MGD

Surveillance Monitoring (only applicable to Deep water

- dischargers with dilution $> 20:1$):
- 1/Year if flow is between 1.0 - 5.0 MGD
- 2/Year if flow is > 5.0 MGD

Due Dates for Self-Monitoring Reports

February 1st is the current due date for annual self-monitoring reports for most individual NPDES permits in the region. Members expressed interest in extending the date to allow more time to incorporate December monitoring data. After the meeting, Regional Water Board staff expressed a willingness to move the date to March 1st. Members also requested information about SMR due dates the fall on weekends and holidays. California code implies that the deadline would be moved to the next business day (see Civil Code [section 10](#) or Civil Procedure [section 12](#)). Although the legal due date is the next business day, CIWQS is not programmed to incorporate this change, so the submittals will be flagged as past due in CIWQS.

Nutrients

- The Regional Water Board is pursuing a Basin Plan Amendment that would supersede the state’s 2008 compliance schedule policy, thereby allowing compliance schedules longer than 10 years.
- The [2024 Group Annual Report](#) required by the Nutrients Watershed Permit was submitted on April 1. Work on the Scoping Plan for the Regional Planning effort is underway. It is due July 1st.
- A summary of the NMS science program called [Science to Inform Management](#) is now available for download. BACWA will also be obtaining print copies.

Other Announcements

- Regional Water Board staff recently shared that they plan to reopen the mercury TMDL in 2028 and the PCBs TMDL in 2030. The main purpose would be to modify the timeframe for implementation of load allocations (mainly for stormwater loads, not wastewater).
- Comments on USEPA’s [Draft Human Health Water Quality Criteria](#) for PFAS are due April 24th.
- CASA-supported [SB 682](#) banning non-essential uses of PFAS was introduced into the CA Senate.
- The RMP’s [Emerging Contaminants Workgroup](#) holds its annual meeting April 23-24th to provide an update on recently completed CECs studies and discuss the work plan for 2026.
- The Bay Area Pollution Prevention Group (BAPPG), BACWA’s pollution prevention committee, has a subcommittee devoted to pesticides and welcomes participation from BACWA members.

Next Meeting: Tuesday, June 10th, Virtual