

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Robert Schlipf)
MEETING DATE: May 10, 2006

ITEM: 7

SUBJECT: **EAST BAY REGIONAL PARKS DISTRICT, UNION
SANITARY DISTRICT, and EAST BAY DISCHARGERS
AUTHORITY, HAYWARD SHORELINE MARSH,
HAYWARD, ALAMEDA COUNTY - Reissuance of NPDES
Permit**

CHRONOLOGY: May 1999 - NPDES Permit Reissued

DISCUSSION: East Bay Regional Parks District (EBRPD) owns and operates the Hayward Marsh, a 145-acre managed marsh system, to provide habitat and open space. The marsh system is fed by about 3.1 million gallons per day (mgd) of treated wastewater from the Union Sanitary District (USD). This is just a small portion of the 29 mgd of wastewater treated by USD. The wastewater is transported to the marsh via a pipeline owned and operated by the East Bay Dischargers Authority (EBDA). EBRPD routes the treated wastewater through a series of marsh basins prior to discharging it via an earthen channel to San Francisco Bay, just north of the Hayward-San Mateo Bridge.

The attached Tentative Order (Appendix A) reissues the permit for EBRPD, USD, and EBDA. It contains technology-based limits in accordance with the Basin Plan, and water quality-based effluent limitations based on the California Toxics Rule, State Implementation Policy, and the Basin Plan.

The State Board, EBRPD, USD, EBDA, and U.S. EPA commented on the draft permit. The most significant comment came from the State Board and U.S. EPA. Both of these agencies expressed concern that bacteriological limits taken from the previous permit may not be protective of specific beneficial uses (water contact recreation and shellfish harvesting) in the marsh and Bay. To address this comment, we revised the Tentative Order to (a) include a bacteriological monitoring study near the discharge point to the Bay, (b) describe the restrictions to public access that would prevent use of the marsh for water contact recreation and shellfish harvesting, and (c) require that EBRPD, USD, and EBDA

provide information that will enable the Water Board to designate water body specific beneficial uses of the marsh in a future Basin Plan amendment. Staff responded to all comments (Appendix C), and made appropriate changes to the draft permit, all of which are reflected in the attached revised Tentative Order. We believe that our responses and revisions have resolved all issues, in particular, the comment concerning bacteriological limits.

RECOMMEND-
ATION:

Adoption of the Revised Tentative Order

File Number:

2199.9209 (RS)

Appendices:

- A. Revised Tentative Order
- B. Correspondence
- C. Response to Comments