20 JUNE 2025 BOARD MEETING
CONTESTED AGENDA ITEM

AGENDA ITEM: 10

SUBJECT:

CITY OF DAVIS, WASTEWATER TREATMENT PLANT, YOLO COUNTY

BOARD ACTION:

Consideration of National Pollutant Discharge Elimination System (NPDES) Permit Renewal (NPDES Permit CA0079049) and Time Schedule Order Issuance.

BACKGROUND:

The City of Davis (Discharger) is the owner and operator of the Wastewater Treatment Plant (Facility), located at 45400 County Road 28H, Davis, CA, 95616. The Discharger provides sewerage service for the community of Davis and serves a population of approximately 68,000. The design average dry weather flow capacity of the Facility is 7.5 MGD. Tertiary treated disinfected wastewater from the Facility is discharged to Willow Slough Bypass at Discharge Point 001 and seasonally to the Main Conaway Canal at Discharge Point 003, seasonally to groundwater via percolation from the Davis Wetlands via Discharge Point 004 and if the Davis Wetlands reach capacity during the rainy season, the Conaway Ranch Toe Drain at Discharge Point 002. Willow Slough Bypass, the Main Conaway Canal, and the Conaway Ranch Toe Drain are all waters of the United States within the Yolo Bypass and Sacramento River Watershed.

Discharges from the Facility are currently regulated by Waste Discharge Requirements Order R5-2018-0086 (NPDES Permit), issued by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 7 December 2018. An Order is proposed to renew the NPDES permit along with an accompanying proposed Time Schedule Order.

The proposed Order includes new or updated effluent limitations for copper, cyanide, ammonia, and chronic toxicity. To further evaluate the discharge to the ponds, wetlands, and groundwater, the proposed Order also requires the Discharger to conduct a Groundwater Information Report, Annual Groundwater Assessment Report, Groundwater Background Concentration and Monitoring Well Network Evaluation Report, Treatment Pond Decommissioning Report, and an Emergency Storage Pond Evaluation. The proposed Time Schedule Order sets interim effluent limitations for copper and cyanide and requires a time schedule to comply with the final effluent limitations for these parameters.

ISSUES:

The tentative Order was issued for a 30-day public comment period on 17 December 2024 with comments due on 16 January 2025. Public comments were received from the Discharger the Central Valley Clean Water Association (CVCWA), and Jo Anne Kipps. A Response to Comments document is included in the agenda package that summarizes the written comments followed by responses by Central Valley Water Board staff.

On 4 March 2025, the U.S. Supreme Court issued a decision in the case of the *City and County of San Francisco vs. U.S. Environmental Protection Agency (2025)* 145 U.S. 704, which challenged some of the limitations in NPDES permits. The Supreme Court ruled that "end result" limitations (i.e. receiving water limitations) are not allowed by the Federal Clean Water Act and that NPDES permits must have specific requirements to meet water quality objectives and protect beneficial uses. Based on this ruling, a second 30-day public comment period was initiated on 6 May 2025 focused solely on proposed changes to six NPDES tentative permits (including the one for Shasta-Sustainable Resource Management, Inc.) in response to the U.S. Supreme Court's decision. The second public comment period concludes on 5 June 2025 and a separate Response to Comments document addressing any comments received on the proposed changes will be available to the public prior to the 20 June Board Meeting.

RECOMMENDATION:

Adopt the proposed NPDES permit and proposed Time Schedule Order

REVIEWS:

Management Review:	AWL (email 5/23/25)
Legal Review:	CM (email 5/22/25)

BOARD MEETING LOCATION:

State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

AND VIA VIDEO AND TELECONFERENCE