

BACWA Recycled Water Committee Meeting Notes

EBMUD Headquarters – 2nd Floor Small Training Room

December 4, 2013

10:00 a.m. – 12:00 p.m.

1) Introductions – L. Hu

- Linda Hu – EBMUD
- Anita Jain – WBA/RWC
- Vince Christian – RWQCB
- Dave Williams – BACWA
- Lorien Fono - BACWA
- Beverly James – Novato Sanitary District
- Eric Rosenblum – Enviro Perspectives
- Nathan Yang – CCCSD
- Paul Gilbert-Snyder - EBMUD
- Pam John – Santa Clara Valley Water District (On phone)
- Mary-Grace Pawson – GHD (On phone)
- Jayne Stommer – Delta Diablo Sanitation District (On phone)
- Kevin Booker – Sonoma County Water Agency (On phone)
- Ken Torke – City of Palo Alto (On phone)

2) BAIRWMP & Prop 84 Updates – P. Gilbert-Snyder/L. Hu

a. Update on BAIRWMP activities

The DWR is developing submittal guidelines and will hopefully post them before the end of this month. The BAIRWMP has been approved by the Bay Area Coordinating Committee (BACC), who will submit it to the DWR after they post the guidelines. The review by DWR will take a little over a month, since it has to pass through their management hierarchy, and will likely be done by February. The BACC will incorporate the DWR edits, then the Plan will be ready for approval by the BACC and adoption by agencies that are pursuing, or have received, Proposition 84 funding. The Proposition 84 Grant contract with DWR requires adoption of the BAIRWMP. The May 11, 2014 date for adoption by agencies is still firm. The BACC will provide draft template language to assist agencies that will adopt it. More information will be posted on the bairwmp.org website.

Besides being available [on the web](#), hard copies of the plan are available at each sub-region including EBMUD for the east sub-region.

b. Update on Prop 84 activities

Round 1 - Paul Gilber-Snyder is working on the invoices for the 3rd quarter of 2013. DSRSD and EBMUD invoices are pending. There's an issue with the invoice for Bair Island. DWR has improved their turnaround time to disburse payments a little more quickly.

i. Round 2 update

Other Regions have filed protests about not getting their requested funding. The BACC asked DWR whether they would decrease the Bay Area funding if other Regions' funding increased. The DWR said they have never changed their recommended funding after their initial decision. DWR assured the BACC that if they did decrease the Bay Area funding, then they would call us first. There is not known timeline for a final funding decision.

ii. Round 3

DWR released the tentative [schedule](#), which begins in Summer 2014 with the project solicitation package. Final solicitation package will be available in Fall 2014. Final proposals will be due during the winter of 2014/15. Draft award recommendations are expected in Spring 2015 and final award announcements in Summer 2015. \$73 million will be potentially available for the Bay Area. Projects should be ready to proceed into construction between 2016-2021, with construction completion by 2021.

The BACC's Draft Request for Regional Concept Submittals is included in the [December CC meeting packet](#). The BACC has been working on prioritizing concepts. They will issue a call for regional project concepts in January 2014, with final submission in March 2014. The project steering committee (PSC) will review and develop ranking criteria to determine which projects will make it into the regional proposal. New projects need to be submitted to the PSC and CC, then incorporated into the plan before the May adoption deadline. The PSC is deciding whether to carve out funding percentages on Regional vs. subRegional basis, but will wait for project concept submittals and DWR guidelines to be posted before making decision.

BACWA's Executive Director, Dave Williams, will convene a meeting in early January 2014 to brainstorm possibilities for Regional projects, The meeting will take place when Brian Campbell will be in town to attend – probably January 8th or 9th. This meeting will be open to all members of the wastewater/recycled water community. Individuals who are interested in meeting should contact Lorien Fono. Linda Hu will send out a request for ideas on regional and subregional projects.

3) Legislation Updates – E. Rosenblum

a. *Legislation*

i. *Drinking Water Program reorganization*

- The drinking water program will be reorganized under the State Water Board. The Bill (AB 145) failed, but was adopted by the Governor's office. Changes in the drinking water program should be implemented by July 1 2014. Eric Rosenblum spoke to Dave Smith of WateReuse, who said that this transition heralds a sea change in water reuse regulations – that State regulators feel that water reuse is a primary solution to the State's water problems and they want to make recycled water easier to use.

A key issue for WateReuse in this reorganization is that permitting for potable reuse programs should be under the State Water Board, rather than the Regional Water Boards or independent health departments, so there is a uniform approach to the program. The reorganization is in flux, but it looks as if the drinking water program will be reportable primarily to the State Board, although they may need increased authority to issue permits. Nonpotable reuse projects will still be under the Regional Water Boards.

A summary of key permitting responsibilities:

- Drinking water program is currently under CDPH, but will move to State Water Board.
- State Water Board can issue permits under its general landscape irrigation permit, and can review individual recycled water permits from the Regional Water Board.
- Nonpotable reuse and groundwater recharge projects will continue to be permitted through the Regional Water Boards
- CDPH has had agreements with county health departments in certain areas to provide oversight for projects, and while there is interest in maintaining these relationships, there is concern to make sure they don't add to the regulatory burden.

iii. *WateReuse legislative review process*

- WateReuse acknowledges need to improve communication with BACWA and to develop a process for legislation reviews.

iv. *Other updates*

- ***Proposed updates for State's recycled water irrigation general permit:*** The goals for the updates were stated by Fran Spivey Weber. The State Water Board's landscape general permit is not getting the use they expected. She also said they would be willing take a look at other general permits that industry is interested in. They will not take this on until after the drinking water reorganization. WateReuse is organizing a task force to recommend updates. For example, there is consensus to remove the 100 gallon reporting limit. The task force has volunteers from LA, Irvine Ranch, Orange County, and Inland Empire, but doesn't have representatives from Northern California recycling agencies. Mary Grace is looking for volunteers to make sure that the recommendations will reflect Bay Area interests. Linda Hu will volunteer and will recruit other Bay Area volunteers. Linda recommends Region 2's Order 96-11 as a model, and suggest that this should continue to be an opt-in general permit to protect agencies that would like to remain with their current permits.

A limitation in the Bay Area is that the State General Landscape Irrigation Permit doesn't cover the scope of potential applications of recycled water projects. The Bay Area's Regional Board General Reuse Order 96-011 permits an agency to use recycled water for multiple non-potable uses. For example, if permitted under 96-011 an agency could use recycled water not only for irrigation, but also for cooling and other non-potable uses as permitted by Title 22. One task force recommendation could be to broaden the scope of the State General Permit. The State general permit could provide protections from health departments imposing additional regulations. There was a discussion about how the State General Permit could govern distribution of recycled water by entities other than the producer.

- **2014 by WateReuse Priorities:**

- Adoption of groundwater recharge regulations
- Acceleration of direct potable reuse regulations (will be discussed at ACWA conference)
- Address restrictive limits on stormwater overflow for recycled water (should this be reporting of recycled water overflows instead or stormwater overflow?)
- Water Bond – Continue to support and make sure there's adequate funding for recycled water
- Categorical exceptions from CEQA for recycled water pipelines in existing rights-of-way
- Title 22 improvements to reflect changes in technology and plumbing code updates

4) **Salt/Nutrient Management Plan – L. Hu**

a. *Presentation from RWQCB and Sonoma County Water Agency in January 2014*

These presentations will take place in January. We may need to reschedule the January meeting to accommodate the availability of the presenters.

5) **Announcements/Agency Updates – All**

- Monday and Tuesday December 10/11- First WaterReuse Association Industrial Reuse Conference. Many companies are expressing interest in partnering with agencies to use recycled water.
- December 18 at noon, free [WaterReuse webinar](#) for financing industrial reuse projects
- Direct potable reuse projects – WaterReuse has released several RFPs.
- LADWP did a survey of customers – Most customers weren't familiar with existing potable reuse projects. They were given information about potable reuse and existing projects; after reviewing the information, they said they were supportive. Several other agencies in Southern California are conducting similar surveys.
- East Bayshore Project – EBMUD going to connect Pixar campus with recycled water for cooling their data center. Pixar currently using recycled for landscape irrigation. This will be EBMUD's first commercial site to use recycled water for cooling.
- Nathan Yang will be going back to school, so CCCSD will either send their new recycled water manager Nate Hodges, or Melody LaBella.

6) Next Meeting – January 8, 2013 (Tentative, based on Salt/Nutrient Plan presenter availability) from 10:00 am to 12:00 pm, 2nd Floor Small Training Room at EBMUD Headquarters (To be confirmed)