

BACWA Recycled Water Committee Meeting Notes

EBMUD Headquarters – 7th Floor, Conference Room 7AB*

July 13, 2016

10:00 a.m. – 12:00 p.m.

1. Introductions – Biagtan

Leah Walker – City of Petaluma

Rhodora Biagtan – DSRSD

Paul Gilbert-Snyder – EBMUD

Stefanie Olson – DSRSD

Vince Christian – Regional Water Board

Cheryl Muñoz – SFPUC

Sarah Rhodes – RMC

Linda Hu – EBMUD

Kishen Prathivadi – Sewer Agency Midcoastline

Melanie Tan – Kennedy Jenks

Zoe Lake – Delta Diablo

Matt Sagues – Marin Municipal Water District

Lorien Fono – BACWA

Sindy Molyono-Danre – Redwood City

Justin Chapel – Redwood City

Eric Hansen – SVCW

On phone

Apparna Chatterjee – City of Hayward

Roanne Ross

Melody Labella – CCCSD

Samantha Englage – City of Palo Alto

Mike Mitchell

Jonathon Chavez – Mountain View

Tom Hall – EOA

Vicky Sherman – Redwood City

Eric Rosenblum - Envirospectives

2. [Recycled Water General Order 2016-0068](#) -- Fono/Biagtan

- a. *BACWA Comment Letter* - BACWA submitted a [comment letter](#) on May 13 requesting that the comment period be opened to sections of the permit beyond Finding 34. [See](#) BACWA talking points that were presented at the adoption hearing, and the State Water Board's response. The final General Order was posted.

- b. [State Water Board Response to Comment Letters](#)

- c. *Report on June 7, 2016 Public Hearing*

At the adoption hearing, the State Water Board considered [three options](#) for Finding 34, which governs which entities will be covered by the State General Order. They chose option 2, where Finding 34 was adopted as written in the April 22, 2016 draft of the General Order. All Regional permittees will be required to enroll in the General Order within three years. Individual permittees will not be required to enroll yet, although the State Water Board stated its intent to require their enrollment in the next permit reopener. Regional Water Boards will need to review Engineering Reports for existing Regional permittees to determine which ones meet the requirements described in the State General Order. Agencies with Engineering Reports that do

not meet the requirements will need to update them. BACWA will approach the Regional Water Board about its plans to enroll Regional permittees. It was suggested that BACWA be proactive with the Board staff and propose a process to bring the 26 FO 96-011 permit holders under the new State order. There was a comment in the committee that because Title 22 had not significantly changed since the adoption of 96-011, there will likely not need to be major revisions to Engineering reports. The priority pollutant monitoring requirements may be reduced in a future permit reopener after the revision of the State Recycled Water Policy.

3. Revisions to [Recycled Water Policy](#) -- Fono/Munoz/Biagtan

The State Water Board plans to adopt revisions to the State Recycled Water Policy in the next 12-18 months, and will begin the process this fall. They plan a stakeholder outreach process as part of this effort. The BACWA Recycled Water Committee recommends that Cheryl Muñoz serve as BACWA's representative to the WaterReuse working group on this issue. Cheryl agreed to the appointment and will make it clear when she is representing BACWA vs. SFPUC. WaterReuse has asked the working group to share any "macro" issues they would like to have included in the resolution by August 4. Their Leg-Reg Committee will discuss the issues on a call on August 5, and with the Board of Trustees the following week. BACWA will comment that monitoring frequencies should not exceed those in the Alternate monitoring plan.

4. Direct Potable Reuse-Biagtan/Walker

Draft Direct Potable Reuse Report to be released end of September 1. 2016
[Expert Panel Draft Key Research Recommendations Related to the Development of Uniform Water Recycling Criteria for DPR](#) - The panel recommended several studies to improve understanding of and confidence in DPR. However, they said that these studies need not hold up the regulatory process, since there is already sufficient science to underpin the development of regulations. The full report to DDW will be released this week. WaterReuse is sponsoring a special meeting on this report on Sept 29, 1-4 pm at SCVWD.

5. Bay Area Recycled Water Survey-Walker/Fono

- a. *BACWA RW Survey* – A survey of 2015 recycled water use and future plans is being circulated by the consultant with the nutrient optimization and upgrade Facility Reports. A copy of the survey is on the BACWA website. BACWA should ensure that it is understood by both the wastewater and water agencies that this survey is being distributed via the dischargers. The information requested is consistent with the information requested by the DWR survey
- b. *Nutrient Study*
Rhodora gave an update on the Nutrient Watershed permit Optimization/Upgrade studies as context for the recycled water survey. There was a discussion about how recycled water would not be integrated into the facility reports, but would be included in the Final Report to the Regional Water Board. Several agencies expressed that increasing recycled water use is a more sensible approach to water management than expensive nutrient upgrades.

6. Legislation and Regulatory Update – Walker/Muñoz/Hu

a. *Legislative Summary 06/28/16*

SB 163 (Hertzberg) – Limit wastewater ocean discharges

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB163

Subject: Declare ocean or bay wastewater discharge a "waste"; requires ocean or bay outfall facilities achieve $\geq 50\%$ reuse by 2033; requires ocean or bay dischargers by 2023 to submit a detailed plan to the SWRCB to achieve beneficial reuse to the maximum extent possible of wastewater that would be discharged through ocean or bay outfalls.

Opposition letter by CASA, ACWA, etc. <http://www.casaweb.org/wp-content/uploads/2015/12/Final-Coalition-SB-163-Oppose-as-Introduced-Letter.pdf>

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Oppose unless amended letter by WaterReuse

STATUS:

6/20/16: bill withdrawn from Committee hearing; effectively dead for this year

6/8/16: amended.

9/8/15: referred to Assembly Rules Committee.

9/3/2015: Gut and amend. Author's office has indicated they do NOT intend to attempt to jam the measure through in the last 4.5 days of legislative session, to be pursued further after the Legislature returns in January. Hertzberg wrote a letter explaining his reasons in a letter to his supporters. The committee felt that the Senator is making light of the technical and institutional challenges associated with water recycling.

AB 2890 (ESTM) – Water and Wastewater Operator Certification.

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB2890

Subject: Water Code §13627 (a) Except as provided in Section 13625.1 and subdivision (b), a person who operates a wastewater treatment plant shall possess a valid, unexpired wastewater certificate of the appropriate grade. (b) A person who operates a water recycling treatment plant may comply with subdivision (a) by possessing a valid, unexpired water treatment operator certificate of the appropriate grade.

STATUS:

6/15/16: approved by Senate EQ committee; referred to Appropriations

5/25/16: amended; minor revision

5/12/16: approved by Assembly; moved to Senate

4/28/16: Approved by Assm Approp committee. Read second time in Assembly.

4/21/16: Amended.

2/29/16: Introduced.

AB 2438 (Waldron/Nazarian) - California Environmental Quality Act: exemption: recycled water pipelines. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB2438

Subject: PRC 21080.21.5. (a) This division does not apply to a project of less than eight miles in length within a public street, highway, or right-of-way for the construction and installation of a new recycled water pipeline, or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing recycled water pipeline. Until Jan 1, 2020

STATUS:

6/29/16: approved by Senate EQ committee; referred to Appropriations

6/9/16: referred to Senate EQ committee

5/23/16: Approved by Assembly; moved to Senate

4/21/16: Approved by Assm Approp committee. Read second time in Assembly.

2/19/16: Introduced.

AB 2022 (Gordon) - Advanced purified demonstration water.

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2022

Subject: Allows water agencies to bottle their potable reused water and distribute small amounts for free for educational purposes. Sponsored by WateReuse CA

STATUS:

6/15/16: Approved by Senate Env Qual committee; referred to Appropriations

4/28/16: Passed out of Assm to Senate.

3/31/16: Amended. Bottle size ≤ 8 ounces

2/18/16: Introduced.

SB 1069 (Wieckowski)– Land use: zoning

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB1069

Subject: Accessory Dwelling Units. Govt Code Section 65852.2(g): "Accessory dwelling units shall not be considered new residential uses for the purposes of calculating private or public utility connection fees, including water and sewer service."

STATUS:

6/30/16: Approved by Assm Local Govt committee; referred to Appropriations

6/16/16: Amended in Assembly; referred to committee on Local Govt.

6/15/16: Passed by Assm Housing & Comm Dev committee

5/16/16: Passed out of Senate to Assembly

b. Agenda for SWRCB DDW Advisory Group on DPR:

The final meeting of the California State Water Resources Control Board (SWRCB) Division of Drinking Water's (DDW) Advisory Group on Direct Potable Reuse (DPR) will take place on Wednesday, June 15, 2016, from 10:30 am until 3:00 pm, at the State Water Resources Control Board's headquarters in Sacramento, California.

http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/RW_DPR_advisorygroup.shtml.

SWRCB DDW Expert Panel on Surface Water Augmentation and DPR:

Meeting # 7 held in Orange County, Dec 1-2, 2015

Meeting #8 – February 24-25, 2016 in San Jose

Meeting #9 – March 2016, in a California location TBD

Meeting # 10 - June 15, 2016 at SWRCB

<http://www.nwri-usa.org/ca-panel.htm>

Both the Expert Panel and Advisory Group will deliver their recommendation reports to SWRCB by July 2016. For more information on the Expert Panel and the Advisory Group, go to <http://www.nwri-usa.org/ca-panel.htm>.

c. RW BUILDING STANDARDS FOR COMMERCIAL AND PUBLIC BUILDINGS:

SB 88 recycled water pipelines follows on **SB 2282 (2014, Gatto)**. [H&SC §18940.6](#): Building Standards Commission "shall adopt mandatory building standards for the installation of recycled water systems for newly constructed commercial and public buildings. The commission shall consider the proposed mandatory building standards during the 2016 Intervening Code Adoption Cycle and may amend these mandatory standards as necessary in future code adoption cycles, consistent with the recycled water use criteria."

Additionally, the California Department of Housing and Community Development and the California Building Standards Commission are soliciting participation on a steering committee to assist state agencies in the research and development of recycled water infrastructure building standards. The first meeting was held on June 14, 2016. Although this one has passed they would like to have the BACWA Recycled Water community's technical expertise, experience, and perspective in this area to assist them in future meetings. For more information, please contact [Beth Maynard](#). Stefanie Olson is on two subcommittees on enforcement and cross-connection, and will report back to BACWA . There are three other subcommittees. Stefanie will send out an email with more details.

STATUS:

From BSC webpage.

BSC action Jan 19-20, 2016

<http://www.documents.dgs.ca.gov/bsc/2015TriCycle/Commission-Review/Jan-2016/HCD-06-15-FET-Pt5.pdf>

d. Potential New Water Bond

A non-Legislative water bond has been postponed to November 2018.

7. Committee Leadership-Biagtan/Walker

The committee chairs are recruiting their replacements.

8. Announcements/Agency Updates – All

WaterReuse Northern California Chapter Meeting, August 19 in San Mateo

Special Meeting on SWRCB Report on Feasibility of Direct Potable Reuse Regulation-WaterReuse CA, Sept 29, 1-4 pm at SCVWD

Benicia's project with Valero's refinery – cost would be \$24M to nitrify and remove phosphorus. The cost identified by HDR for nutrient treatment was the same as for this recycling project, but would not have the benefit of offsetting potable use.

Next Meeting

September 7, 2016 from 10:00 am to 12:00 pm, 2nd Floor Small Training Room at EBMUD Headquarters.