

# **BACWA Recycled Water Committee Meeting Notes**

**EBMUD Headquarters – 2nd Floor Small Training Room at EBMUD Headquarters**

**November 2, 2016**

**10:00 a.m. – 12:00 p.m.**

## **1. Introductions**

Jayne Strommer – Delta Diablo  
Rhodora Biagtan - DSRSD  
Leah Walker – City of Petaluma  
Dave Williams - BACWA  
Paul Gilbert-Snyder - EBMUD  
Cheryl Muñoz - SFPUC  
Stefanie Olson - DSRSD  
Christopher Stevens – State Water Board  
Jan Lee – City of Hayward  
Vince Christian – Regional Water Board  
Luisa Sangines – Santa Clara Valley Water District  
Dan Jackson – City of Benicia  
Melanie Tan – KJ  
Tom Hall - EOA  
Don Berger – West Yost  
Roanne Ross – Whitley Burchett  
Lorien Fono - BACWA  
Ian Wren - SFEI  
Linda Hu - EBMUD  
Eric Hansen - SVCW  
*On phone*  
Karin North – City of Palo Alto  
Mike Mitchell – GHD  
Jennifer Burke – City of Santa Rosa  
Courtney Rubin – Hydroscience  
Matt Sagues – Marin Municipal Water District  
Kishen Prathivadi – Sewer Agency Midcoastline - Half Moon Bay  
Kevin Booker – Sonoma Valley Water Agency  
Drew McIntyre – North Marin Water District  
Andria Loutsch – CDM Smith

## **2. Water Use Efficiency and Recycled Water - Jennifer Burke**

Jennifer Burke is a member of the Urban Advisory Group and brought to the BACWA recycled water committee's attention the Water Conservation Executive Order B-37-16 and how it relates to recycled water. The Governor's Executive Order related to long term water use efficiency requires five state agencies to develop a report by January 10, 2017. There is a stakeholder advisory group made up of water agencies that is engaged in the process. There is a new target approach being developed to achieve more savings than the 20 percent by 2020 that is required by [SBX7-7](#), and to account for standards for indoor and outdoor efficiency (55 gal per capita/day indoor). The outdoor standards are based on model evapotranspiration (ET) factor, performance measures from CII sector, and performance measures for water loss. The recycled water community want recycled water to be counted as 100% conservation because it offsets potable water use and thus should not need to meet the conservation target. The State feels that tertiary recycled water needs to meet the same requirements as potable water, would be given an ET adjustment factor of 1, and would not be considered differently than other potable sources. The draft report is scheduled to be released November 14. There will be a 9-day

comment period ending Nov 23. All the material is posted on the DWR website. Reporting would begin in 2019 and compliance would begin in 2025. Affected committee members were encouraged to review the draft report and send in comments.

### **3. State Funding Availability for Recycled Water - Christopher Stevens**

Christopher Stevens Chief of SRF and Special Programs Section, Division of Financial Assistance, of the State Water Board attended the meeting to give a status update on the State Revolving Fund (SRF) program. He reported that an update to the [intended use plan](#) was posted in September. The SRF is not out of money, but there is demand than available funding. Prior to this year there were very large cash balances in the program, so 4-5 years ago, they made policy and administrative changes to draw down those balances. They also went from 20- to 30-year loans. The Board approved 1% financing for recycled water projects. Approximately \$88M of grant funds, and \$250M in loan funds remain - they will start committing to projects soon.

There is vastly increased demand for funding than in previous years - \$6B in demand for all clean water SRF funds from agencies that have started applications. There is \$3B in demand from completed applications. The Water Board's priorities for funding are DACs (disadvantaged communities), recycled water, and green projects. They can commit \$50M to green projects, some of which are also recycled water projects. They want to disburse grant funds, then loan funds. Green projects can also get "principle forgiveness" which is another kind of grant.

At the [November 15, 2016 State Water Board meeting](#), their staff will be providing the Clean Water SRF Annual Report for the past fiscal year: [http://www.waterboards.ca.gov/board\\_info/agendas/2016/nov/111516\\_4.pdf](http://www.waterboards.ca.gov/board_info/agendas/2016/nov/111516_4.pdf). This report gives a summary of how funding has been disbursed.

There is a certain percentage of the funding set aside for pilot and research projects. The Water Board is in preliminary discussions with different agencies that have plans for these projects. Dan Newton is managing the pilot project funding side. Christopher Stevens is not sure on progress of putting out a request for applications for desalination projects.

### **4. Federal Funding Opportunity & Western Recycled Water Coalition – Jayne Strommer**

The **Western Recycled Water Coalition** is currently accepting new members. WRWC was formed to pursue Federal Funds, and Senator Feinstein requested federal funding applications be submitted on a regional basis and not project by project. So far, \$40M was obtained. Thirty three projects are included in a bill introduced by Congressman McNerney for Title XVI funding. The bill will be reintroduced in 2017 and new members can get projects listed in that bill. WRWC advocates strongly for Clean Water SRF.

### **5. Nutrient Management Strategy/Scenario Planning – Ian Wren**

Ian Wren is a contractor with SFEI and came to the meeting to discuss how recycled water has a role in the ongoing Nutrient Management Strategy. The Nutrient Management Strategy is an effort by the Water Board, SFEI and stakeholders to address impacts of nutrients on the Bay. Ian is looking at the potential for multibenefit projects. How does the calculus of deciding to move forward with projects change if there are cost-sharing benefits from nutrient removal through recycled water. Dan Jackson gave the example of Benicia's industrial reuse project that will remove nitrogen to meet the refineries water quality requirements. The South Bay dischargers are concerned about reverse osmosis concentrate discharge to the Lower South Bay. Nitrogen in the RO concentrate is five times the effluent levels (75 mg/l vs. 15 mg/l). Vince Christian said that there are ways to permit discharge of reverse osmosis concentrate. There was a discussion about the difficulty of obtaining funding for recycled water/nutrient nexus projects through IRWMP. There is a timing issue that the Water Board wants to prevent nutrient loads from increasing, but recycled water projects are not under a similar regulatory compliance time constraints.

### **6. Direct Potable Reuse - Rhodora Biagtan**

[Draft Direct Potable Reuse Report](#) – the Draft report was issued on September 8 and the comment period closed on October 25. DWR is required by statute to provide a final document on the feasibility of developing potable reuse criteria to the California Legislature by December 31, 2016. See the [DDW Briefing on DPR](#)

[Comments](#) were provided by a Coalition composed of ACWA CASA, CA-NV AWWA, CUWA, CWEA, WaterReuse. BACWA provided input on this letter regarding the limits on source control for many pollutants, as well as that process optimization for creating recycled water feed water should be evaluated on a plant-by-plant basis. Comments were also provided in a separate letter from SCVWD.

**7. Building Standards for Recycled Water Systems (AB 2282)** – Stephane Olsen

*Stakeholder Meeting #3, November 4, 2016, 10 am – 4 pm, Sacramento*

The California Building Standards Commission (BSC) and the Department of Housing and Community Development (HCD), in consultation with the State Water Resources Control Board and other interested parties, convened stakeholder meetings this Summer 2016 to research and develop mandatory recycled water infrastructure building standards pursuant to [AB 2282 \(Gatto, Chapter 606, Statutes of 2014\)](#). Stephane Olsen, a DSRSD staff person, is serving on the steering committee. When this process began, Building Standards Commission staff were not aware of the regulatory implications of the difference between greywater and recycled water. There have been several disconnects between what was in early drafts and how recycled water is implemented in actuality and what is required and allowed in Title 22. For example, they had a misunderstanding about how irrigation distribution systems work – that there is only one line, not two parallel lines for potable and recycled water distribution. Title 22 allows human contact for tertiary treated water, which was not allowed in the original draft document. Annual inspections may be required for all recycled water facilities – current permits say “periodic” inspections. Annual cross-connection inspections may be required. The recycled water producers commented that there should be exemptions in requirements for dual plumbing in the service areas of agencies where recycled water is either built-out, where agencies are investing in indirect or direct potable reuse (and not purple pipes) or where there providing recycled water is unfeasible.

**8. Recycled Water General Order 2016** - Rhodora Biagtan

*Transfer coverage from 96-011 to General Order 2016*

A subcommittee made up of Recycled Water Committee members (Tom Hall, Stefanie Olson, Amanda Roa, Melanie Tan, and Andria Loutsch and Lorien Fono) will develop recommendations on the transition to the State Recycled Water General Order. BACWA will deliver these recommendations to the Regional Water Board. What the subcommittee is proposing is that agencies will need to submit only the missing parts from the new engineering report requirements rather than redoing the reports in their entirety. Delta Diablo will apply soon for coverage under the new General Order, and would like input from others to not set precedents that are difficult for other agencies to meet, so they are spearheading this effort. The aim is to have a series of recommendations developed by the end of the year. If you want to work with committee to develop recommendations for transfer coverage, contact Amanda Roa.

**9. Revisions to Recycled Water Policy** - Cheryl Muñoz

When the General Order was adopted in June 2016, the State Water Board said they want to reopen the Recycled Water Policy. WaterReuse has kicked off a working group to address the issue. Cheryl Muñoz has been representing BACWA in the WaterReuse effort. WaterReuse has asked the community for major issues to bring to State Water Board staff as they kick off the process.

- Salt Nutrient Management Plans - Consequences for failing to prepare one, off-ramps for agencies to not prepare a SNMP if it doesn't make sense
- Goals – Recycled Water and Stormwater Goals
- Role of DDW
- Inclusion of potable reuse
- Promotion of agricultural reuse and consideration of agronomic rates
- Priority pollutant monitoring

State Water Board staff plans to bring forth a resolution before the Board before the end of the year. It is unclear what level of detail about proposed changes will be included in the resolution.

## 10. Legislation and Regulatory Update

### Legislative Summary 11/02/16

*SB 1328 (Lara) – Water delivery projects: reduction of greenhouse gas emissions: funding*  
[http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160SB1328](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB1328)

**Subject:** Authorizes State Water Resources Control Board to expend moneys from the greenhouse gas reduction fund (upon appropriation by the Legislature) to provide grants to implement water projects that are intended to reduce greenhouse gas emissions, including Stormwater and dry weather runoff collection and treatment, Wastewater, Water recycling, and Drinking water.

09/24/16: **Vetoed by Governor.** “Rather than creating a potentially duplicative program, I am directing the Resources Agency to work with the SWRCB to ensure that stormwater projects are included in the Urban Greening Program.”

09/08/16: Approved by legislature, but Legislative appropriation for this potential program was not provided.

*Anticipated Sequel to SB 163 (Hertzberg) – Ocean Discharge*

No news yet.

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### Completed/Passed Legislation

*AB 2022 (Gordon) - Advanced purified demonstration water.*

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB2022](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.

*SB 1069 (Wieckowski)– Land use: zoning*

[http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160SB1069](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.”

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

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160AB2890](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB2890)

*AB 2282 (Gatto) – Building Standards: Recycled Water*

[http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201320140AB2282](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201320140AB2282)

**Subject:** Dept. of Housing & Community Development to conduct research, develop, and propose for adoption mandatory building standards for the installation of recycled water systems for newly constructed single-family and multifamily residential buildings.

Building Standards Commission Stakeholder Mtg Nov 4:

<http://www.bsc.ca.gov/calendar/othermtgs.aspx>

*AB 888 (Bloom) – Microplastics*

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB888](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB888)

*AB 606 (Levine) – State Agencies landscape water use efficiency*

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB606](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB606)

*SB 88 – Drought Trailer Bill providing CEQA Exemption for Water Recycling*

[http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160SB88](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB88)

**Subject:** CEQA exemptions during drought for RW pipeline under certain circumstances (thru 1/1/2017) and for development of building standards for recycled water systems (i.e., dual plumbed systems) by 1/1/2017).

#### **Dead, Inactive or Unrelated Legislation:**

*SB 163 (Hertzberg) – Limit wastewater ocean discharges*

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB163](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.

*AB 2438 (Waldron/Nazarian) - California Environmental Quality Act: exemption: recycled water pipelines.*

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160AB2438](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

#### **General Permit for Non-Potable Recycled Water-**

*Status*

6/7/16: [Revised General Order](#) adopted by State Water Board

4/22/16: [revised draft released](#);

#### **11. Other**

*Revised Numeric Criteria for Selenium for the San Francisco Bay and Delta-Sanges*

EPA has proposed an updated Selenium water column criterion that would endanger project where RO concentrate is discharged to the San Francisco Bay. This could affect the SCVWD advanced water purification center, since it discharges RO concentrate through San Jose’s outfall. BACWA submitted a comment letter recommending that the fish tissue criteria rather than water column criterion govern POTW discharges.

#### **12. Announcements/Agency Updates – All**

WaterReuse Northern California Chapter Meeting – December 9, 2016 in San Ramon

#### **Next Meeting**

January 18, 2017 from 10:00 am to 12:00 pm, Conference Room 7AB at EBMUD Headquarters.