

BACWA Recycled Water Committee Meeting Notes
EBMUD Headquarters – 2nd Floor Small Training Conference Room
November 19, 2019
10:30 a.m. – 12:30 p.m.

1. Introductions – Olson

Aparna Chatterjee – City of Hayward
Rhodora Biagtan - Hydroscience
Melanie Tan - KJ
Reena Thomas - EBMUD
Cheryl Munoz - SFPUC
Stefanie Olson - DSRSD
Leah Walker – City of Petaluma
Justin Waples - CCCSD
Billy Dixon – Sonoma Water
Lorien Fono - BACWA
On phone
Sindy Danre-Mulyano – City of Redwood City
Jedd Beyer – West Bay SD
Roanne Ross – West Yost
Sarah Rhodes – W&C
Jayne Strommer – Delta Diablo
Melissa Gunter – Regional Water Board
William Burrell – Regional Water Board
Tom Hall - EOA
Eric Rosenblum- Enviroinspectives

2. Funding Opportunities

a. Federal (Strommer)

i. Water Infrastructure Improvements for the Nation (WIIN) Act and Title XVI

There have been no changes regarding WIIN Act and Title XVI since the last meeting. The applicants selected for WIIN Act water recycling grants for FY 18 have still not been listed by name in appropriations legislation, so they cannot enter into funding agreements with the Bureau of Reclamation. This seems to be holding up the FY 19 awardees (apparently selected, but not publicly announced) and may possibly hold up the FY 20 Funding Opportunity Announcement. This highlights the importance of passing new legislation to fix this language in the original WIIN Act.

There are bills that will make this change and reauthorize the program. As previously discussed, this includes H.R. 1162 introduced by Congresswoman Napolitano. It would reauthorize the WIIN Act grant program at \$500 M, increase the Title XVI project funding cap from \$20 M to \$30 M, strike the WIIN Act language requiring awarded projects to be named in appropriations legislation, and make the program permanent. Her bill language was also incorporated into a bill introduced by Congressman Harder (H.R. 2473). We're now hearing that Congressman Huffman, who chairs the Water, Oceans and Wildlife Subcommittee is preparing his own water bill. We don't yet know the scope of that bill, but we've been told that his bill will include the provisions in Napolitano's bill. His office says that the bill will be shared with all stakeholders once it is finalized.

H.R. 1497 (DeFazio, Chair of the Transportation and Infrastructure Committee) recently went through markup and we've been told it will include \$14 B for CWSRF reauthorization over 5 years (it had been \$20 B). It also includes the Alternative Water Source Program with a \$375 M 5-year program authorization. This would be a new nationwide funding opportunity providing 50% grants.

A bipartisan bill introduced by Senator's Feinstein, Gardner (CO) and 2 more (S.1932) currently reauthorizes the WIIN Act grant program at \$100M, but it has not yet gone to markup and does not have the same improvements included in Napolitano's bill. The hope is that some House bill for WIIN Act reauthorization will pass, and that the Senate bill will pass, which will cause them to go to conference and hopefully negotiate a higher WIIN Act reauthorization number than what's currently in the Senate bill.

Congress has still not completed several appropriation bills for FY 20, so there is a Continuing Resolution that expires November 21st, and the expectation is they'll extend it at least another month.

b. State

i. *Update on BAIRWM Prop 1 – Munoz*

Applications were due from agencies to SFEP, the local grant administrator, last Friday. They are targeting a December 3 submission date to DWR.

3. USEPA Draft National Water Reuse Action Plan (Waples)

On September 10, EPA released National Reuse Action Plan. The Plan identifies a spectrum of needs nationally, for reuse support. The Draft Plan will seek to identify the most important actions. The Final Plan will include commitment to provide actions. The comment deadline is December 16. The committee recommended asking for justification on Action 2.2.13, *Enhance Combined Sewer Overflow/Sanitary Sewer Overflow Abatement Strategies*, with a recommendation to clarify or redirect that action. There was a question on whether it is a backdoor effort to eliminate ocean discharges. The letter should also explain that funding is the limiting factor for recycled water projects, and that EPA could encourage and support interagency coordination.

4. National PFAS Fact Sheet (Olson)

Stefanie gave summary of PFAS concerns, including possible toxicity, and exposure routes. Lorien gave an update on the State Water Board phased effort to monitor PFAS sources to drinking water throughout the State. It is likely that they will issue a 13267 letter early in 2020 to require POTW monitoring.

5. Ocean Protection Council, Draft 5-Year Strategic Plan (Walker)

The California Ocean Protection Council (OPC) recently released their Draft 5-year Plan, which includes a provision to set a target date by 2022 for phasing out coastal discharges into the ocean, with the intent of achieving an 80-100% reduction in ocean discharges by 2040. The goal is included as part of Objective 1.2 which seeks to "Minimize Causes and Impacts of Ocean Acidification and Hypoxia." Previous drafts of the OPC's priorities gave no indication this type of provision related to ocean discharge would be included in the 5 year plan. The draft plan had been planned for adoption on November 13th, however, adoption was postponed until February 2020 following stakeholder requests for an extension. BACWA is working with CASA to develop a comment letter raising concerns about the goal to phase out coastal discharges. Because of the potentially major impacts of such a mandate, BACWA recommends that its member agencies also submit individual letters to the OPC on how a mandate to eliminate coastal discharges would affect their facilities. Comments are now due on December 13. Talking points that the committee recommends for the letter are:

- The most important driver for recycled water projects should be to meet water use demand, not to reduce pollutant discharges to receiving waters.
- The idea that recycling can reduce pollutant loading to the Ocean misses the reality of how recycled water is produced. To achieve the high levels of reuse that are envisioned as part of the Strategy, it would be necessary to plan for potable reuse. The State Water Board is still developing criteria for potable reuse, but it is almost certain that any treatment train producing recycled water for potable reuse would include reverse osmosis. Reverse osmosis transfers most of the pollutant load from the feed water into a concentrate comprising approximately 15 percent of the feed water volume. This concentrate would then need to be discharged to a receiving water, thus retaining most of the pollutant load that would have been discharged absent the reuse project.
- Irrigation reuse projects do remove pollutant loads from discharge, but demands are seasonal in nature. Any recycling goal need to recognize that wet and dry weather recycled water production must be considered separately, and that a year round 100 percent discharge prohibition would be impossible.
- Nutrients in Region 2 are governed by the Nutrient Watershed Permit. In compliance with the first Nutrient Watershed Permit, BACWA performed a study looking at opportunities for nitrogen load reduction by optimization and upgrades at agencies that discharge to the SF Bay. The cost of implementing upgrades at all the permitted agencies was estimated at over \$10 billion.
- BACWA is engaged with the SF Bay Regional Water Board and other stakeholders in the Nutrient Management Strategy. Because of the high cost of nutrient reduction, it is important that management decisions made are

based on our understanding of the science. BACWA is currently contributing \$2.2M per year to SFEI to support scientific studies of the impacts of nutrient on the SF Bay.

•Lack of funding availability is the largest barrier to recycled water implementation in the State. As part of the second Nutrient Watershed Permit, BACWA is engaged in a Regional Recycled Water Evaluation. This Evaluation will both estimate the potential nutrient reductions that would result from agencies' current and planned recycled water projects, and will also provide a cost estimate for implementing those planned projects.

6. 2016 State Recycled Water Use Permit Transition Update (Gunter/All)

There is a meeting at DWQ on Dec 10 to give a progress update on Recycled Water Policy implementation. This will include recycled water reporting. Melissa Gunther will report back from Dec 10 meeting that will finalize approach for transition. Maggie Mognahan from Region 2 will take the lead on NOAs for enrolling 96-011 Permittees..

7. SWRCB's Order No. WQ 2019-0037-Exec: monitoring and reporting (Olson)

This Order supersedes previous reporting requirements for recycled water. The requirements are being included in new NPDES permits. The committee raised questions about how know if this applies to a particular agency prior to permit reissuance. The committee will ask Regional Water Board staff how this will be implemented and request an update at the January meeting.

8. Legislation and Regulatory Update (Thomas)

a. Active Legislation

No updates.

b. Follow up on prior legislation

none

9. HDR Draft Recycled Water Scoping and Evaluation Plan –

A draft was sent to the Committee for review. The Plan will be submitted by the December 1 deadline. The committee will review the information request that will be the first step for information gathering for the evaluation.

10. Budget – A participant provided a reminder that there is a budget for committee support should the need arise.

11. Announcements/Agency Updates – All

- WateReuse Northern California Chapter Meeting, December 6, 2019 at Dublin/San Ramon.
- Subcommittee to update handbook through CalNevada AWWA.
- BACWA Member Meeting on Jan 10
- WateReuse Survey on funding needs for recycled water to use in advocacy efforts.

Future Agenda Items:

None

Next Meeting

Tuesday, January 21, 2019, EBMUD Small Admin Training Room