

# BACWA Recycled Water Committee Meeting Notes

September 28, 2021

Meeting held via videoconference

## 1. Introductions (Olson)

Stefanie Olson, Co-Chair	DSRSD		
Reena Thomas, Co-chair	EBMUD	Melanie Tan	Kennedy Jenks
Annahita Fallah	SFPUC	Melody LaBella	Central San
Anita Jain	West Yost	Michael Falk	HDR
Billy Dixon	Sonoma County Water	Natasha Dunn	San Francisco Estuary Partnership
Cheryl Muñoz	City of Hayward	Negin Ashoori	BAWSCA
Christopher Bolt	City of Petaluma	Nick Steiner	Delta Diablo
Dan Frost	Central San	Nole Studley	Marin Water
Diego Martinez Garcia	City of Palo Alto	Pedro Hernandez	South Bay Water Recycling
Henry Louie	South Bay Water Recycl.	Rachel Mixon	Valley Water
Ileana Alvarado	Valley Water	Rhodora Biagtan	West Yost
Jason Farnsworth	Petaluma	Richard Foss	Central San
Jonathan Brownlee	SFPUC	Sarah Rhodes	Woodard & Curran
June Leng	HDR	Sindy Mulyono-Danre	Redwood City
Laila Mufty	City of Palo Alto	Stefanie Olson	DSRSD
Mark Grushayev	SASM	Tom Hall	EOA
Mary Cousins	BACWA	Will Burrell	Regional Water Board
Medi Sinaki	Valley Water		

## 2. Funding Opportunities

### **Federal and State** (Reena Thomas, EBMUD):

The large infrastructure bill is still waiting in Congress, with about \$1B for western water recycling and related efforts. The budget bill ("continuing resolution") is also waiting, with \$200M for Bureau of Reclamation to combat drought in the west and Title XVI authorized projects.

Governor Newsom recently signed a climate action bill that included \$200M for recycled water, including \$50M for San Diego's Pure Water project, funding for groundwater cleanup, and other water projects.

### **State** (Medi Sinaki, Valley Water):

To respond to drought, the May revision of the California state [budget](#) funds water resilience efforts with \$4.35B over multiple years (\$3.475B in FY22), which includes \$2.8B General Fund, \$1.54B in federal American Rescue Plan Act funds, and \$10.5M bond and special funds. These investments build on the \$757M included in the Governor's Budget for a total of \$5.1B in proposed water resilience investments.

## 3. Regional Recycled Water Evaluation Update

Mike Falk (HDR) provided an update on the Regional Recycled Water Evaluation. HDR/Woodard & Curran has prepared 13 complete drafts of individual plant reports, and 4 are in progress. Draft reports will be sent to these agencies in October, and agencies will have a 2-3 week review period. The summary tables will include flow and nitrogen load information expressed both as an annual average and as a dry season average.

## 4. Recycled Water Demand Management

The group discussed the need for recycled water conservation measures. No members reported significant curtailments on recycled water deliveries, but some would consider public outreach as a first step. The need for conservation can result from insufficient supply, insufficient storage, or from hydraulic restrictions in the distribution system. South Bay Water Recycling staff noted that they completed a recycled water use efficiency study to break down the use areas that see the highest peak demand, and developed customer strategies to

reduce demand if needed (example: change timing of filling golf course ponds). DSRSD staff noted that they are looking into rebates for lawn conversion and smart meters. Redwood City provides water budget information to recycled water customers; this information is not used to establish billing rates (i.e., there is not a financial penalty for going over budget) but the messaging promotes conservation.

## **5. Recycled Water Commercial Truck Fill Guide**

Mary Cousins, BACWA Regulatory Program Manager, requested feedback on the draft Recycled Water Commercial Truck Fill Guide by the end of the week so that the guide can be finalized on Friday.

Last week, committee representatives met with Sherly Rosilela and Ginachi Amah of the State Water Resources Control Board's Division of Drinking Water (DDW) to discuss regulatory issues related to commercial truck fill programs. DDW advises that the use of recycled water across jurisdictional boundaries is not an issue so long as it is clear who is legally responsible for carrying out the recycled water program regulatory responsibilities, including ability to enforce program requirements and be responsible for violations by recycled water users when those violations translate to permit violations (e.g., cross connections). Should this setup be proposed, DDW would be looking for this information in the Title 22 Engineering Report.

Monitoring users (a requirement of the 2016 State Order) and prevention of cross connections is a concern for recycled water crossing jurisdictional boundaries for both commercial and residential fill stations. Cross connections are a particularly high concern for residential customers due to lack of backflow prevention assemblies on domestic services. The group discussed possible ways to provide legal enforceability across jurisdictional boundaries, such as signing interagency agreements (as proposed by DDW); requiring commercial truck fill operators to obtain permits in multiple jurisdictions; requiring truck fill operators to separately seek out an agreement with the other jurisdictions (Redwood City approach); or requiring truck fill operators to obtain their own permit coverage (for a large operation). Committee members pointed out that the [2020 NOA](#) for coverage under the statewide general order allows some latitude for administration of recycled water programs. The NOA states (page 3):

*2. The Region 2 Administrator is required to obtain Regional Water Board and DDW written approval for any changes to the Administrator's approved program prior to implementing the changes. For example: new recycled water use types, treatment methods, or distribution methods not already described in the Administrator's approved program.*

The NOA clearly allows administrators to add new truck fill customers, but is not clear about the approvals needed for allowing truckers to transport water across jurisdictional boundaries. Some members felt that NOA does not require submittal of a new Title 22 Engineering Report given that extending service across jurisdictional boundaries is not a new use type, treatment method, or distribution method.

City of Hayward staff noted that they have recently received a DDW letter with conditions of approval for operation of a truck fill station, which could be a useful reference document. DDW cannot provide written guidance on detailed requirements for truck fill operations; example approval letters are the only guidance.

DDW clarified that duplication of service is not a concern, despite language in Section 13578(b) of the California Water Code that could have been interpreted this way. Loss of demand and revenue is a concern that has been expressed by some potable water retailers. For DDW, cross connections and other public health threats are the primary concern with respect to transport of recycled water across jurisdictional boundaries.

## **6. WateReuse Conference**

Medi Sinaki reported that the WateReuse conference was well-attended and included many great presentations on potable reuse. Declining flows was also a major theme. The committee may pursue presentations on potable reuse in the future. Valley Water is the only water agency pursuing potable reuse in the Bay Area at this time, but many projects are moving forward in southern California.

## **7. Legislation and Regulatory Update**

The Direct Potable Reuse (DPR) expert panel met last month and was receptive to the many comments received. They were open to building flexibility into the draft guidelines. More information including a recording of the expert panel meeting is available [here](#).

The DWR Working Group for the variance on  $ET_0$  for recycled water irrigation due to high TDS is continuing its discussions and looking for more specific examples. There is an issue with the variance only applying if TDS is higher than a certain threshold.

DWR is continuing to work on the Plumbing Code update and is working on addressing language that the Plumbing Code only applies to systems inside the building and not exterior irrigation systems.

DWR's Urban and Multi-benefit Drought Relief grant program proposal solicitation package is now available as a [public draft](#). Applications will be accepted once the solicitation package is finalized, later in Fall 2021. More information is available on the [DWR website](#).

**Next Meeting: Tuesday, November 16, 10:30 AM by Zoom.**