

**Central Valley Regional Water Quality Control Board  
16/17 April 2015 Board Meeting**

**Responses to Written Comments  
for the  
Cutler-Orosi Joint Powers Wastewater Authority  
Wastewater Treatment Facility  
Tulare County  
Tentative Orders Amending Waste Discharge Requirements  
Order R5-2013-0047 (NPDES No. CA0081485)  
and  
Time Schedule Order R5-2013-0048**

---

The following are Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff responses to written comments submitted by a designated party regarding the tentative orders amending Waste Discharge Requirements Order R5-2013-0047(NPDES No. CA0081485) and Time Schedule Order (TSO) R5-2013-0048 for the Cutler-Orosi Joint Powers Wastewater Authority (hereinafter referred to as Discharger), Wastewater Treatment Facility (Facility).

The tentative amendment orders were circulated on 22 January 2015 for a 30-day public comment period. Written comments from designated and interested parties were required by the public notice to be submitted to the Central Valley Water Board by 5:00 pm on 2 March 2015 to receive full consideration. Written comments were received from:

- Cutler-Orosi Joint Powers Wastewater Authority (Discharger) (2 March 2015)

Written comments from the Discharger are summarized below, followed by the responses of Central Valley Water Board staff. Based on the comments, Central Valley Water Board staff made changes to the tentative order amending Order R5-2013-0047.

---

**CENTRAL VALLEY CLEAN WATER ASSOCIATION (CVCWA) COMMENTS**

---

**Discharger Comment #1: Watercourse Setback Distance for Recycled Water Use**

The tentative order amending Order R5-2013-0047 proposes to modify the 50-foot recycled water buffer zone requirement as shown below. The proposed amendment to the requirement allows the Central Valley Water Board Executive Officer to approve an alternative measure to the 50-foot watercourse setback distance requirement as long as it provides equal or greater protection.

**1718.** *A 50-foot buffer zone shall be maintained between any watercourse and the wetted area produced during irrigations with recycled water unless an alternative that provides equal or greater protection is approved by the Executive Officer.—After adoption of this Order, if a reduced buffer zone has been approved by the California Department of Public Health, this Order may be reopened.*

According to the Discharger, the only watercourse within 50 feet of the recycled water use area is Tout Ditch, which is adjacent to Field A. The Discharger requests the requirement be replaced with the requirement shown below. According to the Discharger, whenever Field A is

irrigated with recycled water from the Facility a double berm is constructed to prevent recycled water from being discharged into Tout Ditch. The Discharger states that this procedure has successfully prevented discharge of recycled water to Tout Ditch since 1965.

**1748.** *Areas irrigated with recycled water located near the Alta Irrigation District (AID) Tout Ditch shall be separated by a constructed and maintained double berm located at least ten (10) feet from the discharger's property line.*

**RESPONSE:** The tentative order to amend Order R5-2013-0047 proposes to retain the recycled water 50-foot setback distance requirement for watercourses as a preventative measure to ensure undisinfected recycled water does not enter Tout Ditch. As previously mentioned, Tout Ditch is directly adjacent to Field A. The Discharger is permitted to irrigate Field A (via flood irrigation) with undisinfected recycled water from the Facility. Based on staff observations during times when, according to the Discharger, Field A was not being irrigated with recycled water, there appeared to be minimal protection from recycled water entering the canal.

The Discharger proposal to construct and maintain a double berm between Field A and Tout Ditch will provide additional protection to ensure recycled water does not enter Tout Ditch. Therefore, based on the information provided by the Discharger in its comments, Central Valley Water Board staff propose to revise the recycled water setback distance requirement as follows:

**1648.** *A 50-foot buffer zone shall be maintained between any watercourse and the wetted area produced during irrigations with recycled water. A 10-foot buffer zone may be maintained, in lieu of a 50-foot buffer zone, between Tout Ditch (canal adjacent to Road 120) and the wetted area produced during irrigation with recycled water if a double berm is constructed and maintained as a containment feature to ensure recycled water does not enter Tout Ditch. ~~After adoption of this Order, if a reduced buffer zone has been approved by the California Department of Public Health, this Order may be reopened.~~*

## **Discharger Comment #2: Recycled Water Precipitation Specification**

Order R5-2013-0047, specification IV.C.17. prohibits the Discharger from discharging recycled water to the Use Area during periods of precipitation or when soils are saturated. The tentative order amending Order R5-2013-0047 proposes to modify the specification to state during periods of measurable precipitation. The Discharger, in its 2 March 2015 comments, requested the specification be modified to only prohibit the use of recycled water to the Use Area when “*precipitation exceeds one (1) inch in the prior 24 hour period or one and one-half inches in a 72 hour period.*”

**RESPONSE:** The recycled water specification prohibiting discharge of recycled water to the Use Area during times of precipitation or saturated soil conditions is intended to prevent recycled water runoff from occurring and also to minimize recycled water percolation below the root zone. Upon reconsideration, Central Valley Water Board staff proposes to remove the specification in its entirety because Order R5-2013-0047 includes other specifications that require the Discharger to limit the amount of recycled

water that is applied to the recycled water Use Area. These other specifications are intended to prevent the discharge of recycled water from unreasonably degrading underlying groundwater and to prevent recycled water runoff. Order R5-2013-0047, specification IV.C.10. requires the Discharger to apply recycled water at “*reasonable agronomic rates designed to minimize the percolation of recycled water below the root zone (i.e., deep percolation).*” Order R5-2013-0047, specification IV.C.14. requires the Discharger to capture and return all runoff from the Use Area. Thus, the Discharger must take into consideration the weather (e.g., rainfall) when determining the amount of recycled water to apply to the Use Area.

### **Discharger Comment #3: Recycled Water Ultraviolet Light Disinfection Specification**

The Discharger, in its 2 March 2015 comments, stated, in part, the following:

*“The Authority suggests that disinfection of effluent discharged to the ponds be initiated when the separation between the pond bottom elevation and the depth to groundwater is five (5) feet or less, the same requirement that applies to land application. The requirement to disinfect no matter the depth to groundwater defeats the purpose of constructing several of the monitor wells and imposes an unreasonable economic burden.”*

**RESPONSE:** Order R5-2013-0047, section IV.C.1.c. requires the Discharger to disinfect treated wastewater when discharging to either the wastewater ponds or to the recycled water Use Area only when groundwater is less than five feet below either the bottom of the wastewater ponds or the ground surface of cropland, respectively. The tentative order amending Order R5-2013-0047 does not propose to change this requirement, but does propose to add language allowing the Central Valley Water Board Executive Officer to approve the Discharger to use other groundwater monitoring wells to determine the elevation for the underlying groundwater around the wastewater ponds.

On 3 March 2015, Central Valley Water Board staff called Dennis Keller (Secretary for Discharger) to discuss the Discharger’s comment. Central Valley Water Board staff explained to Mr. Keller that Order R5-2013-0047 currently does contain the requirement requested in the Discharger’s 2 March 2015 comments (i.e, that the Discharger, when discharging to the wastewater ponds, is only required to disinfect the treated wastewater when groundwater is less than five feet below the bottom of the wastewater ponds). Central Valley Water Board staff further explained the proposed amendment order to Order R5-2013-0047 does not remove this requirement.

Mr. Keller stated the purpose of the comment was to express the Discharger’s concern with not having written approval from the Central Valley Water Board to install additional monitoring wells around the wastewater ponds since they were not part of the groundwater monitoring plan approved by the Central Valley Water Board. Central Valley Water Board staff indicated there is no objection to the additional wells as long as they were not replacing monitoring wells in the Discharger’s approved groundwater

monitoring work plan and that the additional wells would improve the groundwater elevation monitoring network.

Mr. Keller, in response to the information provided to him during the 3 March 2015 phone call with Central Valley Water Board staff, stated that he would provide a letter retracting the comment regarding ultraviolet light disinfection provided in the Discharger's 2 March 2015 comment letter. As of the date of these responses to written comments, Central Valley Water Board staff has not received a letter from Mr. Keller retracting the Discharger's ultraviolet light disinfection requirement comment; however, it is Central Valley Water Board staff's understanding that this comment is resolved.