

Workshop & Scoping Meeting

for

STATEWIDE GENERAL PERMIT FOR LANDSCAPE IRRIGATION USES OF RECYCLED WATER



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

June 18, 2008

Purpose of Workshop

- Purpose is to help define and understand the scope of the project
 - ◆ Identify actions, alternatives, mitigation measures, and potential significant environmental effects to be analyzed
- No action will be taken at this Workshop
- Written comments due **by 12:00 p.m. on June 26**

Workshop Overview

- The California Department of Public Health will provide an overview of their role with respect to recycled water and public health
- Meeting participants may provide comments
- Staff plan to propose a draft General Permit and supporting environmental document at a future State Board meeting

Terminology

- *Recycled Water, Reclaimed Water* [CWC section 13050(n)]
Water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use which would not have occurred otherwise and is therefore considered a valuable resource
 - ◆ Propose for General Permit that “recycled water” refers to treated municipal wastewater
- *Producer, Reclaimer, Distributor, Wholesaler, Supplier, Retailer, User, Customer*
 - ◆ Overlapping terminology
 - ◆ Generally defined in CWC section 13575

Assembly Bill 1481

(De La Torre, 2007)

- California Water Code section 13552.5
- Requires the following of the State Board:
 - ◆ **By July 31, 2009** adopt a general permit for landscape irrigation uses of recycled water
 - Establish criteria to determine eligibility for coverage
 - “Consult with and consider comments from the regional boards, groundwater management agencies and water replenishment districts with statutory authority to manage groundwater pursuant to their principal act, and any interested party.”
 - ◆ Establish a reasonable schedule of fees to administer the new law
 - ◆ Several other requirements

Workshop Issues

- California Environmental Quality Act (CEQA)
- Eligibility Criteria
- Recycled water benefits and concerns
 - ◆ Pathogenic organisms
 - ◆ Salinity
 - ◆ “Emerging Contaminants”
 - ◆ Unauthorized discharges of recycled water
 - *Incidental Runoff*
 - ◆ Application of Antidegradation Policy
- Agency and Stakeholder Coordination
- Existing recycled water use permits
 - ◆ Master Reclamation Permits
- Fee Schedule
- Next Steps

CEQA

- Staff is soliciting comments to help identify the scope of the project
 - ◆ Broad project scope ⇒ 'complex' CEQA
 - ◆ Limited project scope ⇒ 'simple' CEQA
- The General Permit and environmental document to be drafted concurrently

General Permit Eligibility Criteria

- Who should be eligible?
 - ◆ Producers, Distributors, Users
 - ◆ Others?
 - Lessee, contractor, etc.?
 - ◆ All?
- General responsibilities of Producer, User, Distributor?
- Should certain areas be excluded from the General Permit?
 - ◆ Lake Tahoe Basin, Delta, Coastal Zone, etc.

General Permit Eligibility Criteria

“Landscape Irrigation”

- Proposed types of “landscape irrigation” based on a review of Title 22 recycled water criteria
 - ◆ Parks, playgrounds
 - ◆ School yards
 - ◆ Residential landscaping and common areas
 - ◆ Golf course
 - ◆ Cemeteries
 - ◆ Freeway landscaping

Recycled Water Benefits

- *California Water Plan Update 2005*
 - ◆ More reliable local source of water
 - ◆ More secure water supply during drought periods
 - ◆ Reduce the discharge of pollutants to water bodies
 - ◆ Economic benefit due to more reliable water supply
 - ◆ Improve groundwater and surface water quality and contribute to wetland and marsh enhancement
 - ◆ Provide energy savings by offsetting the need for energy-intensive imported water.
- Refer to Project Discussion Paper, page 2
- Other benefits?

Recycled Water Concerns

- How should the General Permit address recycled water use concerns?
- Refer to Project Discussion Paper, page 2
 - ◆ Pathogenic Organisms
 - ◆ Salinity
 - ◆ “Emerging Contaminants”
 - Refer to Supplemental Handout for USGS definition.
 - ◆ Unauthorized discharges of recycled water (i.e., *Incidental Runoff*)
- Other concerns?
- What considerations should be included when applying the “Antidegradation Policy” ?

Unauthorized Discharges

- Discharge of recycled water or combined recycled water/stormwater to “waters of the United States” can only be authorized via an National Pollutant Discharge Elimination System (NPDES) permit
- Potential Strategies
 - ◆ Work with / modify municipal storm water permits to address “incidental runoff” ?
 - ◆ A second, parallel general permit solely to address NPDES discharges of incidental runoff for areas not covered by municipal storm water permits?
 - ◆ Other?

Agency Coordination

- Memorandum of Agreement (1996) between Water Boards and the CDPH
 - ◆ Recycled Water Quality
 - Regulated by Regional Water Boards
 - ◆ Recycled Water Public Health Protection
 - Regulated by the CDPH via the Regional Water Boards
 - Where applicable, regulated by Master Reclamation Permit agency
- MOA meant for review and approval of specific projects

Agency Coordination

- How should staff best coordinate development of the general permit with other state and federal agencies?
 - ◆ e.g. DWR, Cal Trans, US-EPA, etc.
- What is the best way to ensure consultation with the each of the following:
 - ◆ Nine Regional Water Boards?
 - ◆ Groundwater management agencies?
 - ◆ Other interested parties?
- Potential Strategy
 - ◆ Propose to follow the MOA model; work closely with the CDPH
 - ◆ Staff propose to use the Office of Public Participation (i.e., the temporary recycled water Ombudsperson) to facilitate appropriate coordination

Current Water Board Permits

- Statewide review of Regional Board permits:
 - ◆ Approx. 300 facilities actively produce recycled water
 - ◆ Approx. 150 use or distribute recycled water for “landscape irrigation”
 - ◆ Approx. 10 Master Reclamation Permits
- Review of available records indicates:
 - ◆ Approx. 4300 users or distributors of recycled water for “landscape irrigation”
- Estimated total \approx 4,500 “landscape irrigation” users or distributors

Master Reclamation Permits

- Master Reclamation Permits:
 - ◆ Refer to Supplemental Handout section 13523.1
 - ◆ Are not limited to “landscape irrigation” uses
 - ◆ Require Master Reclamation Permit agencies to establish and enforce rules or regulations for recycled water use (i.e., ordinance)

Current Water Board Permits

- How should the General Permit address existing “landscape irrigation” uses permits?
 - ◆ Adopt a General Permit roughly equivalent to most, but not all, existing authorizations?
 - ◆ Other?
- How should the General Permit interface with existing master reclamation permits?
 - ◆ Adopt a General Permit that resembles a master reclamation permit for “landscape irrigation” uses?
 - ◆ Other?

Fee Schedule

- What is a 'reasonable schedule of fees' for coverage under the General Permit?
- Flat fee or a tiered fee schedule?
 - ◆ If 'tiered,' what should be the criteria for different 'tiers'?
- Fee schedule based on number of enrollees
 - ◆ Staff have no estimates of projected number of enrollees
- If a second parallel NPDES permit developed for incidental runoff, what are appropriate fees?

Schedule, Next Steps

- **June 26 (12:00 p.m.)** Written comments regarding the scope and content of the General Permit and the supporting environmental document due

Mail to:

Jeanine Townsend,
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Electronic mail to:

commentletters@waterboards.ca.gov

Subject line: "***Comment Letter-
Landscape Irrigation
General Permit***"

Schedule, Next Steps

- Following the Workshop staff plan to initiate the following tasks:
 - ◆ Review and catalog comments received
 - ◆ Develop a preliminary CEQA document
 - ◆ Develop a draft General Permit
- Reminder: the purpose of the workshop is to define and understand the scope of the project



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