

Draft General Permit for Landscape Irrigation Use of Recycled Water



May 19, 2009

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
 - Permit enrollment optional
 - Establish a reasonable schedule of fees to administer the new law
 - Several other requirements

General Permit Development

- June 18, 2008 Workshop / scoping meeting
- August, 2008: State Board/Regional Board/CDPH drafting team developed draft General Permit
- First draft of General Permit & CEQA documents released March 27, 2009 (“3/27 draft”)
 - Initial Study / Mitigated Negative Declaration
 - Comments were due by April 27, 2009
- Second draft of General Permit (“5/7 draft”) subject of today’s workshop
 - Written Comments were due by May 13, 2009
 - Verbal comments accepted today

Terminology

- *Recycled Water, Reclaimed Water*

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 [Water Code section 13050(n)]

- For General Permit “recycled water” refers to treated municipal wastewater

- *Producer, Reclaimer, Distributor, Wholesaler, Supplier, Retailer, User, Customer*

- Overlapping terms; see Water Code section 13575

- *Administrator (as used in 5/7 draft)*

- Either a *Producer* or a *Distributor*

'Simple' Example



PRODUCER

DISTRIBUTOR
Wholesaler
Supplier
Retailer

**Municipal Owned Recycled
Water Conveyance**

USER





'Complex' Example

PRODUCER

DISTRIBUTOR

*Wholesaler
Supplier
Retailer*

**Water
Agency
No. 1**

**Water
Agency
No. 2**

USER



Overview of 5/7 draft General Permit

- Voluntary; administered by State Water Board
- Incorporates elements similar to requirements in master reclamation permits
- Streamlines the regulatory process
 - Approvals within 45 days of receipt of a complete application package.
 - Streamlined coordination with the CDPH and regional boards
- Protective of the environment with respect to both water quality and public health
- Conforms to Recycled Water Policy

Overview of 5/7 draft General Permit

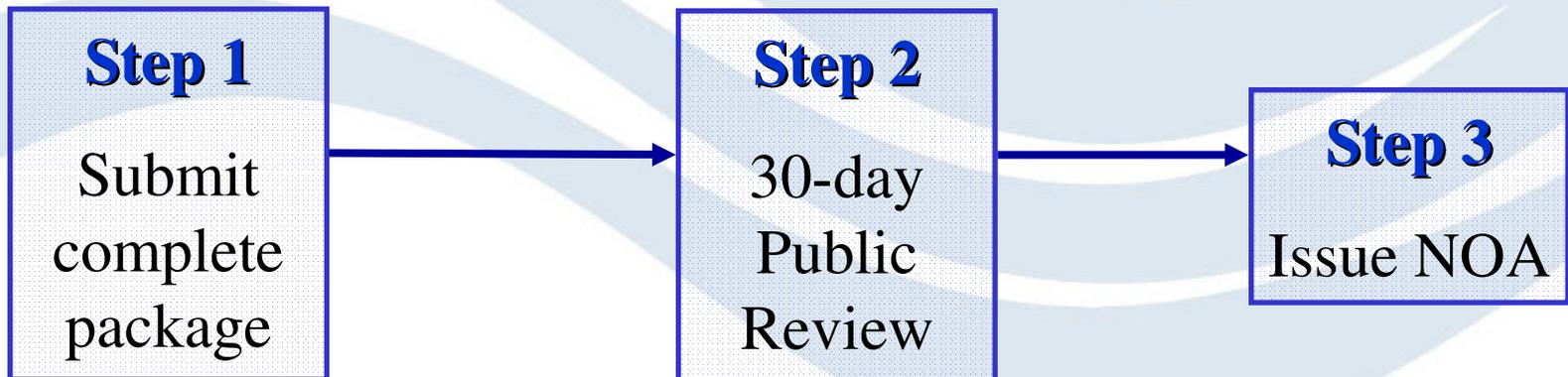
- “Disinfected tertiary” recycled water or better
- Prohibits the direct or indirect discharge to federal waters, unless otherwise authorized by an NPDES permit
- **Four Required Best Management Practices**
 - Leak detection within 72 hours or 1,000 gallons
 - Proper design and operation of sprinkler heads
 - Refraining from application during precipitation events
 - Management of impoundments

Eligibility Criteria (5/7 draft)

- Projects not eligible for Permit are not precluded from using recycled water
- When not eligible for Permit, Administrators may pursue other regulatory mechanisms:
 - Individual water reclamation requirements
 - Individual waste discharge requirements
 - Regional Board General Permits (where available)

'1-2-3' Approval Process

- **Step 1:** submit complete application package
- **Step 2:** commence thirty day public review period
- **Step 3:** Issue *Notice of Applicability*



Key Changes from 3/27 draft General Permit

- “Administrative Distributor” → “Administrator”
- Condensed Findings
- Removed several requirements related to CDPH review process
- O&M Plan now requires an “Irrigation Management Plan” for the service area
 - “Sub-irrigation management plans” for varying conditions across large service areas
 - Key operational elements conveyed to Recycled Water Use Supervisors

Key Changes from 3/27 draft General Permit

- Modified Title 22 Engineering Report submittal requirements
 - May submit entire Title 22 Engineering Report
 - OR**
 - May submit key elements
 - Methods of treatment, cross connection prevention measures, CDPH approval letters,
 - Added language to address amendments to Title 22 Engineering Report
- Several clarifications
- Numerous editorial revisions

Key Changes from 3/27 draft General Permit

- **Monitoring**
 - Reduced monitoring parameters
 - Reduced monitoring frequency
 - **Daily** → **Monthly** for most parameters
 - Added language to verify recycled water remains of 'disinfected tertiary' quality
- **Reporting**
 - Removed several reporting elements

Other Comments Received Regarding 3/27 draft General Permit

- Eligibility

- Comment: General Permit should include non-irrigation uses
- Response: By its title, AB 1481 infers that recycled water use pursuant to the General Permit shall be limited to use for “landscape irrigation.”
- Comment: Should be clearer as to how General Permit relates to existing individual, master reclamation permits, and general orders.
- Response: See Finding Nos. 8 and 28; NOI form (attachment B). Staff may develop Q&A to further explain the process.

Other Comments Received Regarding 3/27 draft General Permit

- Existing Permits

- Comment: General Permit burdens existing Recycled Water Program
- Response: General Permit is voluntary; requirements only applicable to those approved for coverage

- Best Management Practices

- Comment: 'Optional' BMPs in Attachment C are too prescriptive, duplicative, or unnecessary.
- Response: Except for the four required BMPs, Attachment C is a 'menu' of other potential BMPs to be employed at the Administrator's discretion.

Fee Schedule

- Staff evaluating 'reasonable schedule of fees' for coverage under the General Permit?
 - Flat fee or a tiered fee schedule
- Fee schedule likely based on number of Administrators
 - No estimate of projected number of Administrators
- State Water Board Division of Administrative Services - Fee Branch establishes and collects fees
 - Annual Water Quality Fee Stakeholder Meeting
 - **Friday, June 5, 2009 1:00 p.m.**

Next Steps

- Per direction received today:
 - Revise 5/7 draft General Permit
 - Revise Initial Study / Mitigated Negative Declaration
- Adoption prior to July 31, 2009
 - Will depend on direction received today
 - Currently targeting June 2 Board Meeting for consideration of General Permit
- Develop and implement enrollment database

Any Questions?



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD

REGIONAL WATER QUALITY CONTROL BOARDS