

## State Water Resources Control Board

# NOTICE OF OPPORTUNITY TO COMMENT, PUBLIC HEARING, AND FILING<sup>1</sup>

Concerning

## An Amendment to the Policy for Water Quality Control for Recycled Water

**NOTICE IS HEREBY GIVEN** that the State Water Resources Control Board (State Water Board) will receive public comments regarding the development of an amendment (Proposed Amendment) to the Policy for Water Quality Control for Recycled Water (Recycled Water Policy) and the Draft Staff Report, including the Draft Substitute Environmental Documentation (Draft SR/SED).

**NOTICE IS ADDITIONALLY HEREBY GIVEN** that the State Water Board will hold a public hearing to receive public input and comments on the Proposed Amendment and Draft SR/SED. A quorum of the State Water Board may be present; however, no Board action will be taken.

**Tuesday, June 19, 2018 – 9:30 a.m.**  
Joe Serna, Jr.–CalEPA Headquarters Building  
Coastal Hearing Room  
1001 I Street, Second Floor  
Sacramento, CA 95814

Additional information on the hearings in Sacramento can be found at the State Water Board's website at: [https://www.waterboards.ca.gov/board\\_info/calendar/](https://www.waterboards.ca.gov/board_info/calendar/)

Following the June hearing, State Water Board staff will review comments received and prepare responses and final recommendations for the Board's consideration. At the December hearing, the State Water Board will receive final recommendations from State Water Board staff and will consider adoption of the Proposed Amendment and SED. The hearing agenda will be available at [https://www.waterboards.ca.gov/board\\_info/calendar/](https://www.waterboards.ca.gov/board_info/calendar/) at least 10 days before the hearing.

### PROPOSED AMENDMENT

The purpose of the Proposed Amendment is to provide statewide consistency for permit requirements for recycled water projects. The goals for the Amendment are:

1. Support the increased development and use of recycled water in a manner that protects the environment and public health as one piece of a broader strategy to mitigate the effects of long-term drought, climate change, and water supply uncertainty.

<sup>1</sup> Notice of Filing submitted under California Code of Regulations, title 23, section 3779.

2. Amend the Recycled Water Policy to reflect:
  - The changing regulatory aspects of recycled water production and use in California including changes to California Code of Regulations, title 22 and other applicable regulations
  - Findings from an evaluation of the challenges and benefits of salt and nutrient management plan development
  - Recommendations of the Science Advisory Panel on constituents of emerging concern (CECs) in recycled water.
3. Clarify, streamline, and provide statewide consistency for permit requirements for recycled water.

If adopted, the Proposed Amendment would:

- Remove statewide mandates for the use of recycled water, but retain the goals
- Add a narrative goal to minimize the direct discharge of treated municipal wastewater to enclosed bays, estuaries and coastal lagoons, and ocean waters, except where necessary to maintain beneficial uses
- Require recycled water producers to annually report recycled water use data to the State Water Board
- Require municipal wastewater treatment facilities to monthly report influent, treatment level, and volume of treated wastewater discharged to land, inland surface waters, enclosed bays, estuaries, and ocean waters
- Clarify the requirement to comply with Water Code section 1211 (wastewater change petitions)
- Require regional water boards to identify groundwater basins where salt and nutrient management plans have not yet been developed, but are still needed to achieve water quality objectives for salts and nutrients in the long-term
- Clarify the process for regional water boards to approve stakeholder-developed salt and nutrient management plans
- Require regional water boards to periodically evaluate data from salt and nutrient management plans to determine whether updates to salt and nutrient management plans are warranted
- Remove the requirement to monitor for priority pollutants in recycled water used for landscape irrigation
- Clarify the permitting and antidegradation analysis required for non-potable recycled water projects, groundwater recharge projects, and reservoir water augmentation projects
- Provide permitting criteria that, if met, can aid in compliance with Resolution No. 68-16 (the "Antidegradation Policy") for eligible non-potable recycled water projects
- Update the monitoring requirements for CECs for recycled water used for groundwater recharge and reservoir water augmentation, including adding bioanalytical screening using estrogen receptor-alpha and aryl hydrocarbon receptor
- Require regional water boards to evaluate, and if necessary, update recycled water permits for consistency with applicable regulations, plans, and policies
- Terminate coverage under existing regional water board general orders for non-potable recycled water use and encourage enrollment under statewide water reclamation requirements
- Incorporate other non-substantive changes.

## DOCUMENT AVAILABILITY

The Proposed Amendment and Draft SED is available on the State Water Board's website: [https://www.waterboards.ca.gov/water\\_issues/programs/water\\_recycling\\_policy/index.html](https://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/index.html)

You may also receive a paper copy by contacting Laura McLellan by phone at (916) 319-8288, or email at: [Laura.McLellan@waterboards.ca.gov](mailto:Laura.McLellan@waterboards.ca.gov), or by writing Laura McLellan, Division of Water Quality, State Water Resources Control Board, 1001 I Street, Sacramento, CA 95814.

To receive notifications regarding the Proposed Amendment to the Recycled Water Policy, you may sign up for the email list at the State Water Board website at: [http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml) (NOTE: Check the box titled "Recycled Water Policy/General Permit for Landscape Irrigation" under the Water Quality heading.)

## PROCEDURAL MATTERS

At the June 19<sup>th</sup> public hearing, there will be no sworn testimony or cross-examination of participants. However, the State Water Board and its staff may ask clarifying questions. At the hearing, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient hearing in which all participants have an opportunity to participate, oral presentations may be time-limited. For other presentation recommendations, go to: [https://www.waterboards.ca.gov/board\\_info/meetings/board\\_presentations.html](https://www.waterboards.ca.gov/board_info/meetings/board_presentations.html)

## SUBMISSION OF WRITTEN COMMENTS

State Water Board staff will accept written comments. Written comment letters must be received by **12:00 noon on Tuesday, June 26, 2018**. After the deadline, the State Water Board will not accept additional written comments.

The State Water Board requests that comment letters be submitted via email to Jeanine Townsend, Clerk to the Board, by email at [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) (if less than 15 megabytes in total size). Please title the subject line: "**Comment Letter – Proposed Recycled Water Policy Amendment.**" Electronic submission by email in pdf text format is preferred.

If submitting a paper comment letter, please address letters to the attention of Jeanine Townsend, State Water Resources Control Board, 1001 I Street, 24th Floor, Sacramento, CA 95814. Couriers delivering comment letters in person to CalEPA Headquarters must check in with lobby security personnel.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

This is to advise that the State Water Board is proposing to adopt the Proposed Amendment in accordance with a regulatory program exempt under section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Pub. Res. Code, § 21080.5; Cal. Code Regs., tit. 14, § 15251(g).) and with other applicable laws and regulations.

## **PARKING AND ACCESSIBILITY**

The facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5254 at least five working days prior to the meeting. Persons with hearing or speech impairments can contact us by using the California Relay Service Telecommunications Device for the Deaf (TDD). TDD is reachable only from phones equipped with a TDD Device. HEARING IMPAIRED RELAY SERVICE: TDD to voice (800) 735-2929; voice to TDD (800) 735-2922.

State Water Board location, directions and parking information can be found at:

<https://calepa.ca.gov/headquarters-sacramento/location/>.

All visitors are required to sign in and receive a badge prior to attending any meeting in the building. The Visitor and Environmental Services Center is located just inside and to the left of the CalEPA Building's public entrance. Valid picture identification may be required due to security requirements. Please allow up to 15 minutes for receiving clearance, and then proceed to the Coastal Hearing Room.

The meeting held at the State Water Board will be webcast live at <https://video.calepa.ca.gov/>. Approximately 15 minutes prior to the event (Pacific Time), the audio and/or video Webcast links will be added, providing a direct audio/video feed from the meeting room. Remember to test your connection prior to connecting to a Webcast. These Webcasts are generally not recorded for later use.

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Date      May 9, 2018

  
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Jeanine Townsend  
Clerk to the Board