



February 14, 2018

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



VIA EMAIL: commentletters@waterboards.ca.gov

Subject: – Changes to Proposed Regulation Prohibiting Wasteful Water Use Practices

Ms. Townsend,

The Bay Area Clean Water Agencies (BACWA) appreciates the opportunity to comment on the changes to the Proposed Regulation on Waste and Unreasonable Water Uses. BACWA is a joint powers agency whose members own and operate publicly-owned treatment works (POTWs) and sanitary sewer systems that collectively provide sanitary services to over 7.1 million people in the nine-county San Francisco Bay Area. BACWA members are public agencies, governed by elected officials and managed by professionals who protect the environment and public health. BACWA supports a Recycled Water Committee with participants from both the water and wastewater sectors, who are interested in increasing recycled water in our Region.

BACWA appreciates this opportunity to comment on how the State Water Board may achieve its goals to encourage the production and use of recycled water while preventing waste and unreasonable use of water. BACWA recommends the State Water Board consider the following:

1. Clarify Subsection (b)(1)(G) as follows, “As of January 1, 2025, the irrigation of turf with potable water on public street medians or publicly owned or and maintained landscaped areas between the street and sidewalk...”
2. Strike Subsection (b)(1)(G)(iii) “the turf is irrigated with recycled water through an irrigation system installed prior to January 1, 2018.”

The Governor’s Executive Order B-37-16 states that “the Water Board shall permanently prohibit practices that waste potable water.” The proposed language includes recycled water, which is an overreach, and provides disincentive for the expansion of recycled water projects throughout the State.

The motivation to implement and use recycled water by BACWA Recycled Water Committee members and agencies throughout the State vary. Many of our member agencies wish to make use of wastewater effluent that would otherwise be discharged into the San Francisco Bay. Some agencies in our region use recycled water to mitigate prohibition of wastewater effluent discharge in protected State waters. For their own reasons, many of our member agencies are

actively planning to implement or expand their projects, which results in reduced discharges of wastewater effluent and associated residual pollutants loads into the San Francisco Bay.

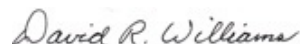
The communities that these agencies serve have made determinations and planned for the best beneficial use of their wastewater effluent. Local agencies must be allowed to make such determinations so that communities are incentivized to use recycled water and projects are economically and technically feasible. Local agencies must be encouraged to invest in the expansion of the use of recycled water.

Furthermore, some of the recycled water projects being considered or that have been approved for funding by the State Water Board propose to irrigate streetscapes with recycled water. Users, public and private, have been encouraged, persuaded, or required to connect to future recycled water facilities. Streetscapes may include turf along with other plant types. The ability to utilize recycled water on established turf in medians and other public areas is critical to the feasibility of those recycled water projects, which will not be completed until after January 1, 2018. In some cases, funding approvals and agreements have been established, and construction projects begun, based on the understanding that turf irrigation with recycled water would be permitted. With this proposed prohibition, meeting project goals may not be feasible, resulting in stranded assets.

BACWA supports the State's goals to encourage water conservation and prohibit wasteful use of water. We wish to work with the State Water Board in achieving those goals while also encouraging the State's goals to implement more water recycling.

Please do not hesitate to contact Rhodora N. Biagtan, Co-Chair of BACWA's Recycled Water Committee, at biagtan@dsrsd.com, if you would like to discuss these comments further.

Respectfully Submitted,



David R. Williams
Executive Director
Bay Area Clean Water Agencies

cc: BACWA Executive Board
Rhodora N. Biagtan, BACWA Recycled Water Committee Co-Chair
Leah Walker, BACWA Recycled Water Committee Co-Chair