Central Valley Regional Water Quality Control Board

30 November 2023

Monica Fox, Tribal Administrator
Chicken Ranch Rancheria of Me-Wuk Indians of California
9195 Tribal Way, P.O. Box 1159
Jamestown, California 95327

CERTIFIED MAIL
7021 1970 0001 5446 5747

NOTICE OF APPLICABILITY

STATE WATER RESOURCES CONTROL BOARD WQ 2016-0068-DDW; WATER RECLAMATION REQUIREMENTS FOR RECYCLED WATER USE; CHICKEN RANCH RANCHERIA OF ME-WUK INDIANS OF CALIFORNIA; CHICKEN RANCH RANCHERIA RECLAMATION PROJECT; TUOLUMNE COUNTY

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the Notice of Intent (NOI) submitted by the Chicken Ranch Rancheria of Me-Wuk Indians of California (Tribe) for regulatory coverage under Water Quality Order WQ 2016-0068-DDW, *Water Reclamation Requirements for Recycled Water Use* (General Order). The NOI included a Title 22 Engineering Report for recycled water use as agricultural irrigation on land owned by the Tribe in Fee (Fee Land), dated 1 May 2023 (Title 22 Engineering Report). The State Water Resources Control Board, Division of Drinking Water (DDW) provided a letter dated 10 August 2023, conditionally accepting the Title 22 Engineering Report.

The Tribe (Administrator) is constructing a new disinfected tertiary wastewater treatment facility (WWTF) on Tribal Trust Land and plans to construct effluent storage ponds and agricultural irrigation areas on Fee Land to replace the existing WWTF. Existing effluent storage tanks on Tribal Land will be used to store effluent for landscape irrigation. The Tribe will be the sole entity involved in the treatment, distribution, operation, and maintenance of the recycled water facilities on Fee Land. The Tribe currently operates a casino complex, medical clinic, and tribal government offices (hereafter collectively referred to as Facility) on tribal land approximately 2.5 miles southwest of Jamestown, CA (see **Attachment A**). Wastewater from the Facility is currently treated using a small

WWTF with a capacity of 18,800 gallons per day (gpd), which features a sequencing batch reactor, chlorine disinfection, storage tanks, and subsurface disposal fields.

On 7 June 2016, the State Water Resources Control Board adopted the General Order to regulate the use of recycled water for all Title 22 non-potable uses. The General Order delegates responsibility for administering water recycling programs to a designated Administrator. Based on the information provided in the NOI and accompanying Title 22 Engineering Report, the proposed Chicken Ranch Rancheria Reclamation Project satisfies the general and specific conditions of the General Order. Therefore, this serves as formal notice that the General Order WQ 2016-0068-DDW is applicable to the discharge described below. The applicability of the General Order is solely for the reclamation activities on Fee Land and does not include Tribal Lands. The Tribe will act as the Administrator of the recycled water system for this discharge. You are hereby assigned enrollee number **WQ-2016-0068-DDW-R5025**. Please include this number on all future correspondence related to this discharge.

You should familiarize yourself with the entire General Order and its attachments enclosed with this letter, which describe mandatory discharge and monitoring requirements. Sampling, monitoring, and reporting requirements applicable to your recycled water program must be completed in accordance with the attached Monitoring and Reporting Program (MRP) No. **2016-0068-DDW-R5025**. This MRP was developed after review of your NOI and accompanying Title 22 Engineering Report as described in the attached Technical Memorandum.

PROJECT DESCRIPTION

The Facility expansion will consist of two phases, proposing to construct a community building, housing, a government services and administration building, a new hotel and casino, a gas station and mart, recreational vehicle (RV) park, agricultural tourism facility, and an event facility. The newly constructed disinfected tertiary WWTF will feature a new pump station, fine screening, a membrane bioreactor, ultraviolet (UV) light disinfection, chlorine disinfection, lined effluent storage ponds, and spray irrigation.

Wastewater from the Facility will flow by gravity to the new influent pump station, which will pump wastewater to the treatment system. According to the technical report, phase 1 average daily design flows will be approximately 105,000 gallons per day (gpd), and phase 2 average daily design flows will contribute 165,000 gpd. A two-mm or less fine screen will filter the influent wastewater prior to entering the treatment system. An additional redundant screen will be provided as backup. Screened material will be collected using a container and will be hauled offsite to a landfill. Influent wastewater characteristics will be monitored using a composite sampler downstream of the primary headworks screen. Equalization tanks will be utilized to regulate inflows to the WWTF. A

minimum of 50,000 gallons of equalization storage will be provided during Phase 1, however, the required storage for the second phase is estimated to be 100,000 gallons. According to the NOI, an updated report will be submitted when Phase 2 is implemented.

Aerobic conditions in the equalization tanks will be maintained using aeration. Process tanks will provide biological nutrient reduction (BNR) to reduce biochemical oxygen demand (BOD) and nitrify/denitrify nitrogen in the effluent. The BNR process will consist of an initial anoxic zone followed by an aerobic zone. Mixed liquor suspended solids (MLSS) will be recirculated from the aerobic tanks and anoxic tanks to achieve biological nutrient reduction.

Waste activated sludge (WAS) will be dewatered and removed from the treatment system, prior to being hauled offsite for disposal. The existing WWTF storage tanks will be converted to provide storage for the solids. The dewatered solids will be temporarily stored onsite in dumpsters or roll off containers prior to disposal. According to the Title 22 Engineering Report, solids will be hauled offsite weekly, and no long-term storage of solids is planned.

Membranes will provide clarification and filtration after biological treatment. The membranes will be installed via cassette racks in tanks and will remove total suspended solids (TSS) to meet Title 22 unrestricted reuse applications. Disinfection will be provided using a skid mounted in-line validated low pressure UV disinfection unit with one redundant reactor. According to an email from DDW on 14 March 2023, a spot check bioassay will not be required at this time until the Tribe proposes to apply the effluent for high value food crops and if the disposal areas are still held by the Tribe as Fee Land. Once the proposed criteria are met, the Tribe plans to complete the bioassay and amend the Title 22 Engineering Report.

Effluent from the new WWTF will flow by gravity to two new storage ponds located on Fee Land. According to the Title 22 Engineering Report, the ponds will be lined using a 60-mil high density polyethylene (HDPE) liner and no aeration will be provided to the ponds. The approximate location of the recycled water use area for agricultural irrigation is shown in **Attachment B**.

RECYCLED WATER APPLICATION

The Tribe proposes to administer the recycled water system for use of disinfected tertiary recycled water for irrigation of agricultural land on Fee Land and landscape irrigation on Trust Land. As the sole “Administrator”, the Tribe will be responsible for the administration of the Recycled Water Program authorized pursuant to this General Order, including the requirements of Title 22. According to the NOI, the Tribe will manage and operate the recycled water system including oversight, training,

maintenance, and inspections. The Tribe will act as the sole producer and distributer of recycled water as well as a user of recycled water.

DIVISION OF DRINKING WATER (DDW) CONSIDERATIONS AND REQUIREMENTS

The Tribe submitted a Title 22 Engineering Report for the Chicken Ranch Rancheria Reclamation Project, dated 1 May 2023 to DDW for review. On 10 August 2023, DDW issued an acceptance letter conditionally approving the Title 22 Engineering Report. Per the General Order, recycled water shall comply with any DDW approval conditions. The Administrator shall comply with the following conditions/provisions that were included in DDW's 10 August 2023 Title 22 Engineering Report Conditional Acceptance Letter (5590005-701):

1. The Tribe's recycled water program must comply with all applicable requirements set forth in Titles 17 and 22 of the California Code of Regulations (CCR) for the production, distribution, and use of recycled water.

2. The Tribe must ensure the recycled water is used only at the tribal owned fee land having controlled access. The application of recycled water by surface irrigation is limited to growing fodder and fiber crops and pasture for animals not producing milk for human consumption. The recycled water must be at least undisinfected secondary pursuant to Section 60304 (d)(4), Title 22 of CCR.

3. Per Articles 8 and 10 of the RWC, Title 22 of CCR, the recycled water delivered to the tribal fee land must have adequate reliability features and contingency measures to ensure inadequately treated recycled water is not being supplied to the tribal owned fee land use area.

4. The Tribe must ensure the tribal owned fee land is receiving recycled water that is consistently and reliably meeting the required recycled water quality, pursuant to Section 60304 (d)(4). This is inclusive of ensuring the WWTF operation is by qualified personnel that shows the required level of treated recycled water being supplied and distributed is being effectively achieved. Qualified personnel must be those meeting the requirements to Division 7, Chapter 9 (commencing with Section 13625) of the California Water Code.

5. The Tribe must ensure the recycled water supplied to the tribal fee land is not bypassed untreated or partially treated wastewater from the WWTF, or any intermediate unit processes, to the point of use. Excess flows and/or off spec process flows temporarily diverted to storage pond(s) must be returned to the headworks for full treatment.

6. The application and use of undisinfected secondary recycled water must be in accordance with the Recycled Water Criteria, Title 22 of CCR. The Tribe as the owner of tribal fee land must ensure updated agreement(s) are maintained with the recycled water user (tribal fee land lessee) as deemed necessary to reflect upon current recycled water uses and practices. The following are to be complied with.

    a. An Engineering Report must be submitted to DDW and RWQCB for review and approval of any future use of recycled water or expansion of irrigated areas beyond those described in the approved Title 22 Engineering Report.

    b. Plans for future uses of recycled water or expanded irrigated areas, when available must be submitted to DDW and the County Department of Environmental Health (County DEH) for review and approval.

    c. No irrigation with or impoundment of recycled water can take place within 50 or 100 feet of any domestic water supply well.

    d. Any use of recycled water must comply with the following:

        i. Recycled water irrigation runoff must be confined to the recycled water use area unless the runoff does not pose a public health threat and is authorized by the regulatory agency.

        ii. Spray, mist, or runoff must not enter dwellings, designated outdoor eating areas or food handling facilities.

        iii. Drinking water fountains must be protected against contact with recycled water spray, mist, or runoff.

        iv. Recycled water irrigation spray must not be directly on grazing animals.

        v. Recycled water use area must have controlled access with no general access to the public.

    e. All recycled water use areas must be posted with signs that are visible to the public, in a size no less than 4 inches high by 8 inches wide, that states the following: "RECYCLED WATER - DO NOT DRINK". Each sign must display an international symbol like that shown in Figure 60310-A, §60310, Title 22 of CCR. DDW may accept alternative signage and wording, or an educational program, provided the applicant demonstrates to DDW that the alternative approach will assure an equivalent degree of public notification. These signs need to be placed in conspicuous places including at each entrance to the RW irrigated area. The

Tribe shall consider posting bilingual signage based on the demographics of the area.

f. No physical connection can be made or allowed to exist between the recycled water system and any separate system conveying potable water. If a swivel-ell device is planned to be used, the construction plan must be submitted to DDW and RWQCB for review and approval.

g. The installation of recycled water pipeline(s) with respect to water mains shall be in accordance with the separation criteria pursuant to §64572, Chapter 16, California Waterworks Standards. The plans for the installation of the recycled water pipeline(s) must be submitted to DDW and RWQCB for review, and written approval shall be obtained prior to installation.

h. The recycled water system in the irrigated areas must not include hose bibs. Only quick couplers that differ from those used on the potable water system can be used.

i. The recycled water system facilities including pumps, valves, piping, faucets, fixtures and/or other appurtenances must be clearly identified with tags, signage, and purple color paint (Pantone 522C).

j. The recycled water use site shut down tests must be performed every four years and reuse site inspections must be performed annually. Each must be monitored by the County DEH or DDW. The inspections and testing must be performed by a cross connection control specialist certified by the California-Nevada section of the American Water Works Association or an organization with equivalent certification requirements. A written report documenting the result of the inspection or testing for the prior year must be submitted to the County DEH and DDW within 30 days following completion of the inspection or testing.

7. The Tribe must maintain a current operations plan for the supply and distribution of recycled water at the tribal owned fee land that addresses normal operating conditions and for contingencies. The operations plan shall be submitted to DDW and RWQCB for approval and upon any changes or modifications to the recycled water supply, storage, and distribution.

8. The Tribe must ensure the equipment and appurtenances supplying and distributing the recycled water have a preventive maintenance program to maintain a reliable operating system.

9. Operating records must be maintained at the WWTF or a central depository. The operating records must include a log of operational problems, equipment breakdowns, diversions to emergency storage or disposal, and all corrective or preventive action(s) taken.

10. The Tribe must ensure any failure at WWTF and/or RW distribution system that can bypass partially treated recycled water and/or deliver off spec recycled water to the tribal owned fee land must trigger an alarm and have a timely response and corrective action. All alarms and/or incidents that result in delivery of off spec recycled water must be recorded and maintained as a separate record file. The recorded information must include the time and cause of failure and corrective action taken.

11. Any discharge of untreated or partially treated wastewater to the use area, and the cessation of same, must be reported immediately by telephone to the Central Valley Water Board, DDW, and the local health officer.

WATER RECYCLING USE REQUIREMENTS

1. The production, distribution, and use of recycled water shall be managed in accordance with the Title 22 Engineering Report approved by DDW and this NOA.
2. Application of recycled water shall be limited to the uses as described in the Title 22 Engineering Report accepted by DDW and this NOA.
3. The use of recycled water shall not cause pollution or nuisance, as defined by Water Code section 13050.
4. The recycled water shall be disinfected tertiary recycled water as defined by Title 22, section 60301.230.
5. The Administrator shall promptly notify the Central Valley Water Board of any recycled water spills or unauthorized uses.
6. All use areas, where recycled water is used, that are accessible to the public shall be posted with signs that are visible to the public, in a size no less than 4 inches by 8 inches wide, that include the following wording, “RECYCLED WATER – DO NOT DRINK.”
7. Permanent above-ground piping must be clearly identified as recycled water with either purple pipe material or purple paint. Temporary above-ground piping for recycled water must also have proper coloring or labeling for easy identification.

GENERAL INFORMATION AND REQUIREMENTS

The Tribe shall comply with the Specifications, Water Recycling Administration Requirements, and General Provisions of the General Order. Please review this NOA

carefully to ensure that it completely and accurately reflects the proposed Recycled Water Program. If the discharge violates the terms or conditions of the General Order, the Central Valley Water Board may take enforcement action, including the assessment of an administrative civil liability. Failure to abide by the conditions of the General Order, including MRP WQ-2016-0068-DDW-R5025, and this letter authorizing applicability could result in enforcement actions, as authorized by provision of the California Water Code.

The required annual fee specified in the annual billing from the State Water Resources Control Board shall be paid until this NOA is officially terminated. The Administrator must submit in writing a Notice of Termination once the Recycled Water Program has ended.

SALT AND NITRATE CONTROL PROGRAMS

As part of the Central Valley Salinity Alternative for Long-Term Sustainability (CV-SALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting (Resolution R5-2018-0034). The Basin Plan amendments became effective on 17 January 2020 and were revised by the Central Valley Water Board in 2020 with Resolution R5-2020-0057 (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf).

For the Salt Control Program, the Chicken Ranch Rancheria Reclamation Project was issued **CV-SALTS ID: 3615** and the Tribe selected Pathway 2, the Alternative Salinity Permitting Approach.

For the Nitrate Control Program, the Board identified areas, referred to as Priority 1 and Priority 2 basins, where nitrates in groundwater are more prevalent and therefore pose a higher risk to persons who rely on groundwater as a source of drinking water. The Facilities and reclamation area fall outside a groundwater basin. For dischargers outside a groundwater basin, a Notice to Comply may be issued if the Central Valley Water Board Executive Officer determines it is necessary to protect water quality.

More information regarding the CV-SALTS regulatory planning process can be found at the following link: (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/).

Questions and information requests can also be made by sending an email to: cvsalts@waterboards.ca.gov.

DOCUMENT SUBMITTALS

All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to:

centralvalleyfresno@waterboards.ca.gov. Documents that are 50MB or larger should be transferred to a disk and mailed to the Central Valley Water Board office at 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Program: Non-15,
Place ID: 880054,
CV-SALTS ID: 3615
Facility Name: Chicken Ranch Rancheria Reclamation Project,
Order: WQ-2016-0068-DDW-R5025

In order to conserve paper and reduce mailing costs, a paper copy of General Order WQO 2016-0068-DWQ has been sent only to the Administrator. Others are advised that the General Order is available on the State Water Board's website (http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2016/wqo2016_0068_ddw.pdf).

All documents, including responses to inspections and written notifications, submitted to comply with this NOA shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Omar Mostafa. Mr. Mostafa can be reached at (559) 445-5197 or Omar.Mostafa@waterboards.ca.gov. Questions regarding the permitting aspects of the NOA, and notification for termination of coverage under the General Order, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention Cruz Romero. Mr. Romero can be reached at (559) 445-5036 or by email at Cruz.Romero@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at Copies of the laws and regulations applicable to filing petitions (https://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

If you have any questions regarding this matter, please contact Cruz Romero by phone at (559) 445-5036 or by email at Cruz.Romero@waterboards.ca.gov.

Original Signed by Alexander S. Mushegan
For Patrick Pulupa
Executive Officer

Attachments:

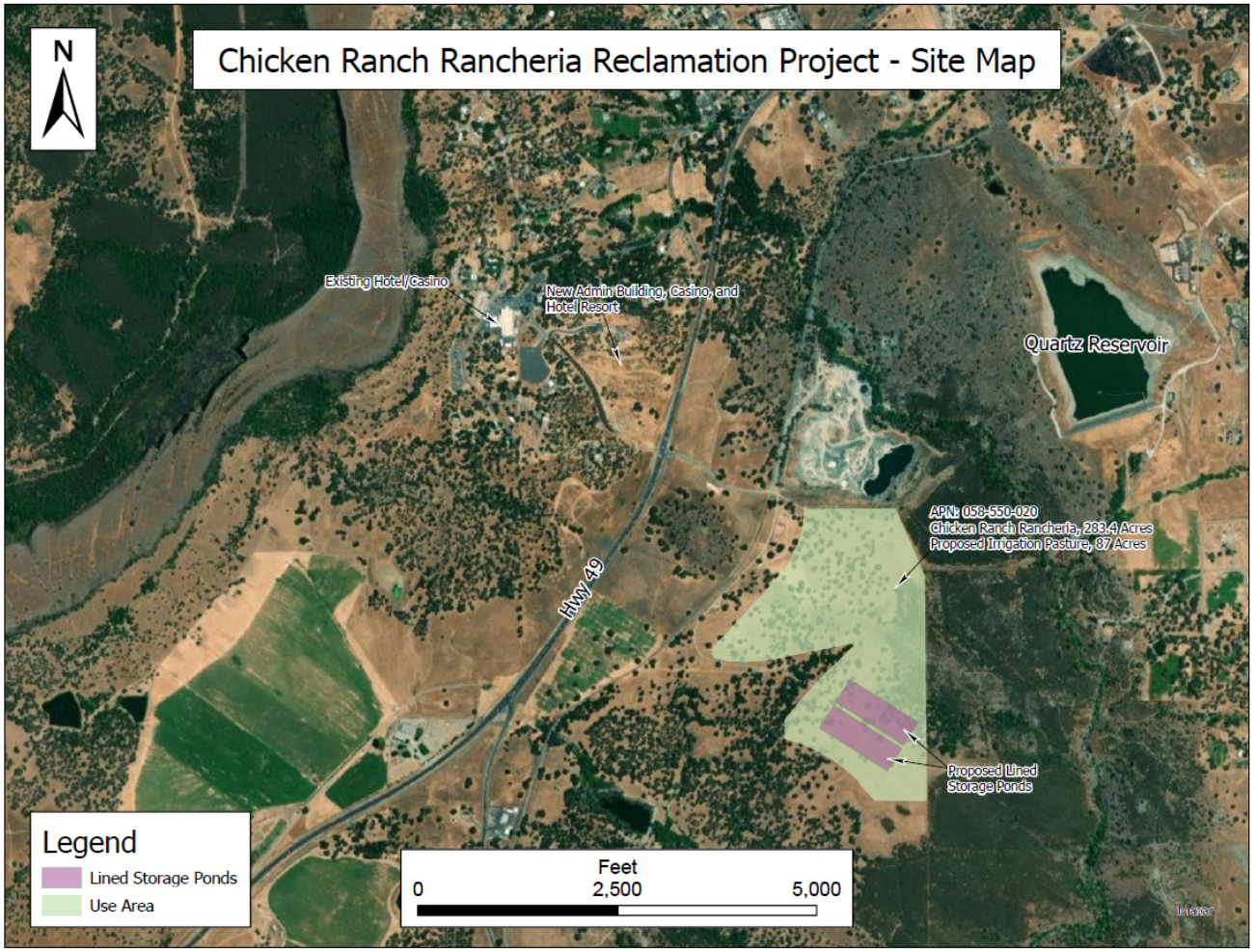
- Attachment A – Site Map
- Attachment B – Recycled Use Areas

Enclosures:

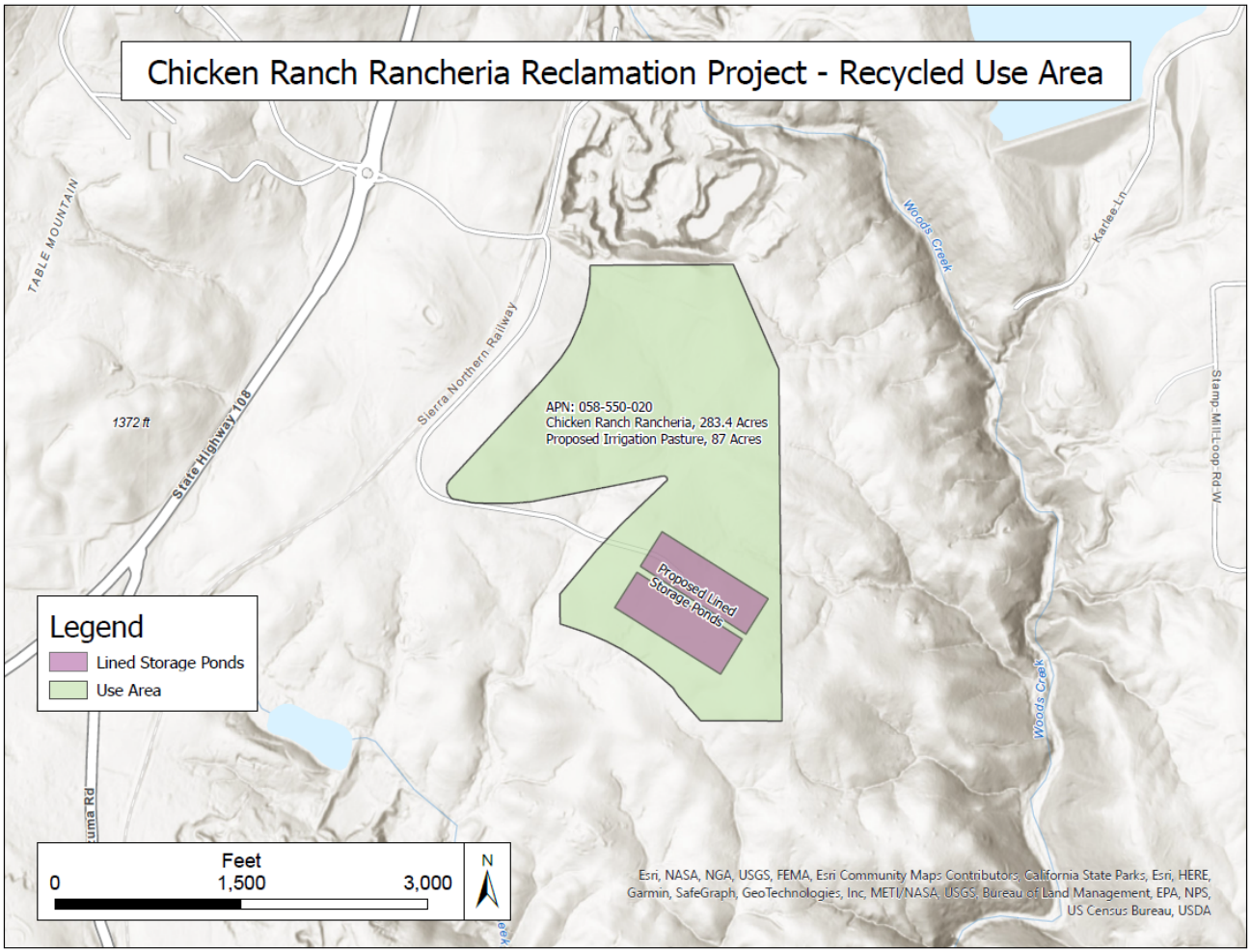
- Monitoring and Reporting Program WQ-2016-0068-DDW-R5025
- Staff Review Memorandum for Chicken Ranch Rancheria Reclamation Project
- DDW Conditional Acceptance Letter (10 August 2023)
- State Water Resources Control Board Order WQ WQ-2016-0068-DDW (Discharger Only)

CC's:

- Chris Moskal, State Water Resources Control Board, OCC (via email)
- Kennedy Knight, State Water Resources Control Board, OCC (via email)
- Laurel Warddrip, State Water Resources Control Board, DWQ (via email)
- Ginachi Amah, State Water Resources Control Board, DDW (via email)
- Mir Ali, State Water Resources Control Board, DDW (via email)
- Omar Mostafa, Central Valley Water Board (via email)
- RB5S-cvsalts@waterboards.ca.gov
- Monica Fox, Chicken Ranch Rancheria of Me-Wuk Indians of California (via email)
- Joe Brune, Chicken Ranch Rancheria of Me-Wuk Indians of California (via email)
- Ken Shuey, Provost and Pritchard Consulting Group (via email)
- Mark Adams, North Star Engineering (via email)



ATTACHMENT A – SITE MAP
NOTICE OF APPLICABILITY 2016-0068-DDW-R5025
FOR
CHICKEN RANCH RANCHERIA OF ME-WUK INDIANS OF CALIFORNIA (TRIBE)
CHICKEN RANCH RANCHERIA RECLAMATION PROJECT
TUOLUMNE COUNTY



ATTACHMENT B – RECYCLED USE AREAS
NOTICE OF APPLICABILITY 2016-0068-DDW-R5025
FOR
CHICKEN RANCH RANCHERIA OF ME-WUK INDIANS OF CALIFORNIA (TRIBE)
CHICKEN RANCH RANCHERIA RECLAMATION PROJECT
TUOLUMNE COUNTY

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. WQ-2016-0068-DDW-R5025 FOR CHICKEN RANCH RANCHERIA OF ME-WUK INDIANS OF CALIFORNIA CHICKEN RANCH RANCHERIA RECLAMATION PROJECT TUOLUMNE COUNTY

This Monitoring and Reporting Program (MRP) describes requirements for monitoring the recycled water program for the Chicken Ranch Rancheria of Me-Wuk Indians of California (Tribe). This MRP is issued pursuant to Water Code section 13267. The Tribe (or Administrator) shall not implement any changes to this MRP unless and until a revised MRP is issued by the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) or Executive Officer.

The Administrator has applied for and received coverage for the recycled water program that is subject to the Notice of Applicability (NOA) of WQ 2016-0068-DDW-R5025 enrolling the recycled water program under State Water Resources Control Board (State Water Board) Water Quality Order 2016-0068-DDW, *Water Reclamation Requirements for Recycled Water Use* (General Order). The reports are necessary to ensure that the Administrator complies with the NOA and General Order. Pursuant to California Water Code section 13267, the Administrator shall implement this MRP and shall submit the monitoring reports described herein.

All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The name of the sampler, sample type (grab or composite), time, date, location, bottle type, and any preservative used for each sample shall be recorded on the sample chain of custody form. The chain of custody form must also contain all custody information including date, time, and to whom samples were relinquished. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Central Valley Water Board staff.

A glossary of terms used in this MRP is included on the last page.

Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that they are used by a State Water Resources Control Board, Environmental Laboratory Accreditation Program (ELAP) certified laboratory, or:

1. The user is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
3. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are maintained and available for at least three years.

DISINFECTION SYSTEM MONITORING

Samples from the disinfection system shall be collected from downstream of the disinfection system and analyzed by an approved laboratory per Title 22, section 60321(a). Depending upon the level of disinfection and recycled water application to land, monitoring requirements vary. Disinfection monitoring shall include, at the minimum, the following:

Table 1 - Disinfection System Monitoring

Parameter/Constituent	Units	Sample Type	Sampling Frequency	Reporting Frequency
Flow	mgd	Meter Reading	Continuous (see 1 below)	Annually
Turbidity	NTU	Grab/Meter (see 2 below)	Continuous (see 3 below)	Annually
UV trains in operation	Number	Observation	Continuous	Annually
UV Transmittance	Percent	Meter Reading	Continuous	Annually
UV Power Setting	Percent	Meter Reading	Continuous	Annually
UV Dose (see 4 below)	mJ/cm^2	Calculated	Continuous	Annually
Total Coliform Bacteria	MPN/100 mL	Grab (see 5 below)	Continuous	Annually

1. For continuous analyzers, the Discharger shall report documented routine meter maintenance activities, including date, time of day, and duration of periods in which the analyzer(s) is(are) not in operation.
2. The turbidity meter shall be stationed immediately after the filters, prior to the UV disinfection process.
3. Report daily average turbidity and maximum turbidity. If the turbidity exceeds 0.5 NTU, collect a sample for total coliform organisms immediately after the UV disinfection system and report the duration of the turbidity exceedance. The additional total coliform organisms' sample shall be in addition to the normally required daily total coliform organisms sample specified in this table.
4. Report daily minimum hourly average UV does and daily average UV dose. The daily minimum hourly average UV dose shall consist of the lowest hourly average dose provided in any train that had at least one bank of lamps operating during the hour interval. For trains that did not operate for the entire hour interval, the does should be averaged based on the actual operation time. If effluent received less than the minimum UV dose, report the duration and dose calculation variables associated with each incident.
5. The sample shall be collected immediately after the UV disinfection system.

POND SYSTEM MONITORING

The Administrator shall monitor both treated wastewater storage ponds as specified in **Table 2** below.

Table 2 - Pond System Monitoring

Parameter/Constituent	Units	Sample Type	Sampling Frequency	Reporting Frequency
Dissolved Oxygen	mg/L	Grab	Monthly	Annually
Freeboard	0.1 feet	Measurement	Monthly	Annually
Odors	---	Observation	Monthly	Annually
Berm Condition	---	Observation	Monthly	Annually

USE AREA MONITORING

The Administrator shall monitor the Use Area(s) at a frequency appropriate to determine compliance with the General Order and the Administrator's recycled water use program requirements. An Administrator may assign monitoring responsibilities to a User as part of the Water Recycling Use Permit Program. The Administrator retains responsibility to ensure the data is collected, as well as prepare and submit the Annual Report.

The following shall be recorded for each User with additional reporting for use areas as appropriate. The frequency of use area inspections shall be based on the complexity and risk of each use area. Use areas may be aggregated to combine acreage for calculations or observation purposes. Use area monitoring shall include the following:

Table 3 – Use Area Monitoring Requirements

Parameter	Units	Sample Type	Sampling Frequency	Reporting Frequency
Recycled Water User	---	---	---	Annually
Recycled Water Flow	gpd	Meter (see 1 below)	Monthly	Annually
Acreage Applied (see 2 below)	acres	Calculated	---	Annually
Application Rate	inches/acre/year	Calculated	---	Annually
Soil Saturation/Ponding	---	Observation	Quarterly	Annually
Soil Erosion		Observation	Quarterly	Annually
Nuisance Odor/Vector	---	Observation	Quarterly	Annually
Discharge Off-Site	---	Observation	Quarterly	Annually

Parameter	Units	Sample Type	Sampling Frequency	Reporting Frequency
Notification Signs (see 3 below)	---	Observation	Quarterly	Annually

1. Meter requires meter reading, a pump run-time meter, or other approved method. The User must measure both the water removed from the effluent storage pond for irrigation and potable water added to the system.
2. Acreage applied denotes the acreage to which the recycled water is applied.
3. Notification signs shall be consistent with the requirements of California Code of Regulations, title 22 section 60310 (g).

REPORTING

In reporting monitoring data, the Administrator shall arrange the data in tabular form so that the date, sample type (e.g., effluent, solids, etc.), and reported analytical or visual inspection results are readily discernable. The data shall be summarized to clearly illustrate compliance with the General Order and NOA as applicable. The results of any monitoring done more frequently than required at the locations specified in the MRP shall be reported in the next regularly scheduled monitoring report and shall be included in calculations as appropriate.

All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50MB or larger should be transferred to a disk and mailed to the appropriate Regional Water Board office, in this case 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Program: Non-15,
Place ID: 880054
Facility Name: Chicken Ranch Rancheria Reclamation Project
Order: 2016-0068-DDW-R5025.

A. Annual Report

Annual Reports shall be submitted to the Regional Water Board **by April 1st following the monitoring year.** The Annual Report shall include the following:

1. A summary table of all recycled water Users and use areas. Maps may be included to identify use areas. Newly permitted recycled water Users and use areas shall be identified. Recycled Water Use Permits issued over the past year shall be included with the annual report. When applicable, supplements

to the Title 22 Engineering Report and the State Water Board approval letter supporting those additions shall be included.

2. A summary table of all inspections and enforcement activities initiated by the Administrator. Include a discussion of compliance and the corrective action taken, as well as any planned or proposed actions needed to bring the discharge into compliance with the NOA and/or General Order. Copies of documentation of any enforcement actions taken by the Administrator shall be provided.
3. An evaluation of the performance of the recycled water treatment facility, including discussion of capacity issues, system problems, and a forecast of the flows anticipated in the next year.
4. Tabular and graphical summaries of all monitoring data collected during the year, including priority pollutant monitoring, if required.
5. The name and contact information for the recycled water operator responsible for operation, maintenance, and system monitoring.

B. State Water Board Volumetric Annual Reporting

Per State Water Resources Control Board's Water Quality Control Policy (https://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/), amended in December 2018, dischargers of treated wastewater and recycled water are required to report annually monthly volumes of influent, wastewater produced, and effluent, including treatment level and discharge type. The Discharger shall submit an annual report to the State Water Board by **April 30 of each calendar year** furnished with the information detailed below. The Discharger must submit this annual report containing monthly data in electronic format via the State Water Board's Internet GeoTracker system (https://geotracker.waterboards.ca.gov/). Required data shall be submitted to the GeoTracker database under a site-specific global identification number. Any data will be made publicly accessible as machine readable datasets. The Discharger must report all applicable items listed below:

1. **Influent.** Monthly volume of wastewater collected and treated by the wastewater treatment plant.
2. **Production.** Monthly volume of wastewater treated, specifying level of treatment.
3. **Discharge.** Monthly volume of treated wastewater discharged to land, where beneficial use is not taking place, including evaporation or percolation ponds, overland flow, or spray irrigation disposal, excluding pasture of fields with harvested grounds.
4. **Reuse.** Monthly volume of recycled water distributed.

5. **Reuse Categories.** Annual volume of treated wastewater distributed for beneficial use in compliance with California Code of Regulations, title 22 in each of the use categories listed below:

   a. Agricultural irrigation: pasture or crop irrigation.

   b. Landscape irrigation: irrigation of parks, greenbelts, and playgrounds; school yards; athletic fields; cemeteries; residential landscaping, common areas; commercial landscaping; industrial landscaping; and freeway, highway, and street landscaping.

   c. Golf course irrigation: irrigation of golf courses, including water used to maintain aesthetic impoundments within golf courses.

   d. Commercial application: commercial facilities, business use (such as laundries and office buildings), car washes, retail nurseries, and appurtenant landscaping that is not separately metered.

   e. Industrial application: manufacturing facilities, cooling towers, process water, and appurtenant landscaping that is not separately metered.

   f. Geothermal energy production: augmentation of geothermal fields.

   g. Other non-potable uses: including but not limited to dust control, flushing sewers, fire protection, fill stations, snow making, and recreational impoundments.

   h. Groundwater recharge: the planned use of recycled water for replenishment of a groundwater basin or an aquifer that has been designated as a source of water supply for a public water system. Includes surface or subsurface application, except for seawater intrusion barrier use.

   i. Reservoir water augmentation: the planned placement of recycled water into a raw surface water reservoir used as a source of domestic drinking water supply for a public water system, as defined in section 116275 of the Health and Safety Code, or into a constructed system conveying water to such a reservoir (Water Code § 13561).

   j. Raw water augmentation: the planned placement of recycled water into a system of pipelines or aqueducts that deliver raw water to a drinking water treatment plant that provides water to a public water system as defined in section 116275 of the Health and Safety Code (Water Code § 13561).

   k. Other potable uses: both indirect and direct potable reuse other than for groundwater recharge, seawater intrusion barrier, reservoir water augmentation, or raw water augmentation.

A letter transmitting the annual monitoring reports shall accompany each report. The letter shall report number and severity of violations found during the reporting period, and actions taken or planned to correct the violations and prevent future violations. The transmittal letter shall contain the following penalty of perjury statement and shall be signed by the Administrator or the Administrator's authorized agent:

> *"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."*

The Administrator shall begin implementing the above monitoring program on **1 January 2024**.

Ordered by:

Original Signed by Alexander S. Mushegan for:
PATRICK PALUPA, Executive Officer

30 November 2023
(Date)

GLOSSARY

BOD_5	Five-day biochemical oxygen demand
DO	Dissolved oxygen
CT	The product of total chlorine residual and modal contact time measured at the same point.
EC	Electrical conductivity at 25° C
FDS	Fixed dissolved solids
TDS	Total dissolved solids
TKN	Total Kjeldahl nitrogen
TSS	Total suspended solids
Continuous	The specified parameter shall be measured by a meter continuously.
24-hr Composite	Samples shall be a flow-proportioned composite consisting of at least eight aliquots over a 24-hour period.
Daily	Every day except weekends or holidays.
Twice Weekly	Twice per week on non-consecutive days.
Weekly	Once per week.
Twice Monthly	Twice per month during non-consecutive weeks.
Monthly	Once per calendar month.
Quarterly	Once per calendar quarter.
Semiannually	Once every six calendar months (i.e., two times per year) during non-consecutive quarters.
Annually	Once per year.
mg/L	Milligrams per liter
mg/kg	Milligrams per kilogram
mgy	Million gallons per year
mL/L	Milliliters [of solids] per liter
µg/L	Micrograms per liter
µmhos/cm	Micromhos per centimeter
gpd	Gallons per day
mgd	Million gallons per day
MPN/100 mL	Most probable number [of organisms] per 100 milliliters
NA	Denotes not applicable
NTU	Nephelometric Turbidity Units
UV	Ultraviolet
mJ/cm^2	Millijoules/cm^2
SU	Standard pH units

Central Valley Regional Water Quality Control Board

TO: Alexander S. Mushegan
Supervising Water Resource Control Engineer

FROM: Cruz Romero
Water Resource Control Engineer

DATE: 30 November 2023

APPLICABILITY OF COVERAGE UNDER STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2016-0068-DDW; WATER RECLAMATION REQUIREMENTS FOR RECYCLED WATER USE; CHICKEN RANCH RANCHERIA OF ME-WUK INDIANS OF CALIFORNIA; CHICKEN RANCH RANCHERIA RECLAMATION PROJECT; TUOLUMNE COUNTY

On 21 September 2023, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff received a Notice of Intent (NOI) prepared by Provost and Pritchard Consulting Group on behalf of the Chicken Ranch Rancheria of Me-Wuk Indians of California (Tribe) for coverage under State Water Resources Control Board's WQ-2016-0068-DDW, *Water Reclamation Requirements for Recycled Water Use* (General Order). The NOI included a Title 22 Engineering Report for the Chicken Ranch Rancheria Reclamation Project, dated 18 September 2023. The Title 22 Engineering Report was prepared and signed by Kenneth K. Shuey (RCE 33558), a California registered professional civil engineer with Provost and Pritchard Consulting Group. The Title 22 Engineering Report was conditionally accepted by the State Water Resources Control Board, Division of Drinking Water (DDW) in a letter dated 10 August 2023.

This memorandum provides a summary of Central Valley Water Board's staff review of the NOI and Title 22 Engineering Report and evaluates if the Tribe's proposed reclamation of disinfected tertiary recycled water is eligible for enrollment under the General Order.

BACKGROUND INFORMATION

The Tribe currently operates a small wastewater treatment facility, which treats effluent from a small casino complex, medical clinic, and tribal government offices near

Jamestown, California in Tuolumne County. Disinfected secondary effluent is stored in tanks and discharged on subsurface disposal fields on Tribal Trust Land. The Tribe is in the process of constructing a casino complex that includes a new administration building, casino hotel, and a new wastewater treatment facility (WWTF). The new WWTF will feature a membrane bioreactor (MBR) with biological nutrient removal, ultraviolet (UV) disinfection, two 60-mil high density polyethylene (HDPE) lined storage ponds, and a new agricultural irrigation area on fee land. The disinfected tertiary recycled water will supplement the natural precipitation irrigating the pastureland for growing grass and/or alfalfa to feed non-dairy animals.

DESCRIPTION OF DISCHARGE

According to the NOI, the Tribe will assume the roles and responsibility of the "Administrator" under the General Order and will manage and operate the recycled water system including oversight, training, maintenance, and inspections. The Tribe will be the sole Producer and Administrator. The Tribe will also serve as the sole distributor as well as a user of recycled water under the General Order. The WWTF is on Tribal Trust Land, and, therefore, does not have Waste Discharge Requirements (WDRs) from the Central Valley Water Board; however, reclamation of treated wastewater will occur on some fee land and is therefore, subject to Title 22 Regulations. All reclamation activities on fee land are subject to the Reclamation General Order.

Both proposed storage ponds will be located on Fee Land. The two proposed storage pond dimensions are each 265 feet by 795 feet and a depth of 15 feet. The total volume of the two ponds at two feet of freeboard is 102 acre-feet. Effluent will flow to the effluent storage ponds by gravity. Piping to the storage ponds will have a minimum capacity of 282,000 gpd to meet Phase 2 peak flows. Gravity flows to the storage ponds will be recorded at the transfer pump station using flow meters. The construction of two ponds will allow for one pond to be taken offline for both cleaning and maintenance activities. In addition, the NOI states that this will allow for off-spec effluent to be temporarily stored and not used for irrigation. The NOI states that aeration will not be provided to the ponds due to the quality of the effluent. The ponds will be operated with a minimum of two feet of freeboard. Pond levels and flows are proposed to be monitored using SCADA, while daily checks of the ponds and LAA will be done via WWTF staff.

The effluent will be treated to meet California Title 22 standards for unrestricted reuse. According to the NOI, the proposed treatment process will reduce total nitrogen in the effluent to below the Maximum Contaminant Level (MCL) of 10 mg/L for nitrate. The proposed effluent quality is summarized below in **Table 1**.

Table 1 - Proposed Effluent Quality

Constituent/Parameter	Units	Value
Biochemical Oxygen Demand (5-day)	10	mg/L
Total Suspended Solids	10	mg/L
Total Nitrogen	10	mg/L
Ammonium Hydride	<5	mg/L

Constituent/Parameter	Units	Value
Total Coliform Organisms	<2.2	MPN/100 mL
Turbidity	2.0	NTU

Recycled water will be used for irrigation of non-food crops on fee land and for landscape irrigation on Tribal Trust Land. Recycled water will be applied by spray irrigation as shown in Attachment B of the Notice of Applicability (NOA). According to the NOI all agricultural use areas will be operated and maintained by the Tribe. The recycled water use area will be supervised by Mr. Joe Brune, the wastewater treatment plant operator.

The NOI provides a description of the Tribe's Recycled Water Program, including:

1. Description of Responsibilities;
2. Cross-Connection Testing Procedures;
3. Monitoring and Reporting Program;
4. Use Area Inspection Program;
5. Operations and Maintenance Program;
6. Compliance Program;
7. Employee and User Training; and
8. Emergency Procedures and Notification Requirements.

DIVISION OF DRINKING WATER (DDW) CONSIDERATIONS

The Tribe submitted a Title 22 Engineering Report for the Chicken Ranch Rancheria Reclamation Project, dated 14 March 2022, which was reviewed by DDW. DDW commented on the Title 22 Engineering Report, and the Tribe submitted a revised Title 22 Engineering Report, dated 1 May 2023. On 10 August 2023, DDW issued a letter conditionally approving the 1 May 2023 Title 22 Engineering Report for operation and reclamation activities at the recycled water use area.

The Tribe is also required to notify DDW and submit an updated Title 22 Engineering Report for review and acceptance if any changes to the information provided in the current report are considered or expansion of the Facility.

Copies of the conditional approval letter from DDW is included at the end of this memorandum.

SALT AND NITRATE CONTROL PROGRAMS

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (**CV-SALTS**) initiative the Central Valley Water Board adopted Basin Plan amendments (Resolution R5-2018-0034) incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. The Basin

Plan amendments were conditionally approved by the State Water Resources Control Board on 16 October 2019 (Resolution 2019-0057) and by the Office of Administrative Law on 15 January 2020 (OAL Matter No. 2019-1203-03) and became effective on 17 January 2020.

Pursuant to the Basin Plan Amendments, Notices to Comply for the Salt Control Program were mailed out to dischargers on 5 January 2021 with instructions and obligations for the Salt Control Program. Upon receipt of the Notice to Comply, dischargers are required to inform the Central Valley Water Board of their choice between Option 1 (Conservative Approach to Salt Permitting) or Option 2 (Alternative Approach to Salt Permitting). The level of participation required of dischargers whose discharges do not meet stringent salinity requirements will vary based on factors such as the amount of salinity in the discharge, local conditions, and type of discharge.

Since the Tribe did not submit an application for the General Order until 21 September 2023, they did not receive a Notice to Comply for the Salt Control Program. However, as required as part of the application, the Tribe submitted a Notice of Intent (NOI) on 2 November 2023 for the Salt Control Program and selected Pathway 2, the Alternative Permitting Approach. For the Nitrate Control Program, the discharge falls outside a groundwater basin. For dischargers outside a groundwater basin, a Notice to Comply may be issued if the Central Valley Water Board Executive Officer determines it is necessary to protect water quality in the future.

As these programs are implemented, the Central Valley Water Board may find it necessary to modify the requirements of this NOA to ensure the goals of the Salt and Nitrate Control Programs are met. For more information regarding the Salt and Nitrate Control Programs, you are encouraged to go to the CV-SALTS Info Webpage (https://www.cvsalinity.org/public-info).

MONITORING REQUIREMENTS

The monitoring requirements from Attachment B of the General Order that are appropriate for this discharge are:

- Disinfection System Monitoring
- Use Area Monitoring
- Pond System Monitoring

COMMENTS

Based on the information provided in the NOI, the May 2023 Title 22 Engineering Report, and the 10 August 2023 DDW conditional acceptance letter, the application for the Chicken Ranch Rancheria Reclamation Project is consistent with the requirements of the General Order.