



October 19, 2018



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

Via electronic Mail: commentletters@waterboards.ca.gov

Re: Comment Letter – November 27, 2018 Board Meeting – CWSRF Policy Amendment

Dear Ms. Townsend:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the draft Proposed Amendment to the Policy for Implementing the Clean Water State Revolving Fund (CWSRF). EBMUD supplies potable and recycled water and provides wastewater treatment for a large part of Alameda and Contra Costa counties. EBMUD has the following comments.

Primary Scoring for Recycled Water Projects

The proposed Policy amendment describes a scoring system to prioritize project eligibility for the Fundable List. The priority score is the sum of three components: primary score, secondary score and readiness score.

The primary score is selected based upon the resource or impact and purpose (corrective, preventative, or improvement) of the project. The maximum primary score is 9. Projects not meeting any of the defined purposes receive a primary score of 2.

Corrective and preventative actions provide the highest primary scores for each resource or impact. The proposed policy amendment does not provide scoring for water recycling projects that would provide corrective or preventative actions. As currently proposed, the highest primary score applicable to water recycling projects is 7.

As water recycling projects are permitted and regulated to protect the public health, drinking water sources, and the environment similar to other clean water projects, corrective and preventative scores should be made applicable to water recycling projects. SWRCB Order WQ 2016-0068-DDW states that water recycling projects are required to be in compliance with regulations related to recycled water in the California Code of Regulations, individual and general Water Reclamation Requirements, Uniform Statewide Recycling criteria, applicable Salt and Nutrient Management Plan, WDRs or NPDES permits for recycled water production facilities, applicable water quality related CEQA mitigation measures, and the Recycled Water Policy. Water recycling projects would require preventative and corrective actions to meet permit and regulatory requirements; and should be eligible for the primary scoring criteria for

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corrective and preventative purpose. For example, water recycling projects could include replacement of treatment infrastructure necessary to prevent or correct permit violations. Tertiary filters may need replacement to meet turbidity requirements, or changes to the disinfection process may be needed to correct Title 22 violations.

Private System Eligibility

The Policy includes eligibility for recycled water onsite user retrofits on publicly owned use sites, but does not specifically address the eligibility of privately owned properties. The Policy references the Federal Water Pollution Control Act (FWPCA) eligibility requirements that include privately owned property. The Policy amendment does specifically eliminate private sewer laterals from ineligibility; opening the argument for the eligibility of other privately owned facilities for funding. The Policy amendment should clarify and specifically include eligibility for recycled water onsite user retrofits on private property where a public utility is funding the project.

Funding for Large and Smaller Projects

Based upon current available funding, it is feasible that only a small number of larger projects may be funded in the funding year; and smaller projects may not receive any funding. The Policy amendment should include that larger projects may be funded over the span of the project, or funded with additional financing such as the America's Water Infrastructure Act of 2018, to ensure that smaller projects for smaller communities are also funded.

If you have any questions concerning these comments, please contact me at 510-287-1691 or at linda.hu@ebmud.com.

Sincerely,



Linda Hu
Senior Civil Engineer
Office of Water Recycling

LH:RT:au

cc: Richard Sykes, EBMUD
Mike Tognolini, EBMUD