

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER

DATE: MARCH 21, 2014

**AGENDA ITEM**

**F**

**MARCH 26, 2014**

**GENERAL MANAGER'S REPORT**

**ITEM**

Standing report to your Honorable Board -- *Period covered by this report is March 8, 2014 through March 21, 2014.*

**DISTRICT BUSINESS**

**Administrative**

- Drought continues throughout the State and region. The winter of 2013-2104 is on track to be one of the driest, if not the driest, on record.
- The Nipomo Mesa Management Area groundwater basin levels are at their lowest recorded level in the forty-year record.
- The District's Supplemental Water Project, Phase is under construction and on schedule for completion in July 2015. Phase 2 of the project will be pursued prior to the completion of Phase 1 if funding is available.
- The District continues to encourage all customers to conserve water in its newsletters and advertising. Annual average customer water use has declined steadily since the District implemented an inclining tiered water rate structure in 2011. However, customer demand last fall and this winter was higher than typical due to the lack of rainfall.
- Drought rates (premiums on top of existing rates) and/or water use restrictions may be necessary this summer if winter rain fall levels remain low.
- San Luis Obispo County maintains two rain gauges in the area. One is located at the District's Southland Wastewater Plant (Nipomo South) and one at the District's Tefft Street water storage site (Nipomo East). In the past two weeks, neither gauge recorded any rain. The seasonal rain total for Nipomo South is 3.25 inches. Average for this gauge is 16-inches per year. The seasonal total for Nipomo East is 4.13. Average seasonal rainfall total for Nipomo East is 18-inches.
- Staff issued a verification of water service (Will Serve Letter) to a single family residence on Easy Lane.
- On March 12, staff issued an Intent To Serve letter for a one lot subdivision (one new lot created) at 1288 Hetrick Ave, Nipomo.
- On March 12, the District issued Crosno Construction Inc. a Notice to Proceed for construction of Standpipe Tank Modifications and Rehabilitation Project.
- On March 13, the District sent San Luis Obispo Planning department comments on their proposed changes to the County Resources Management System (attached).

- On March 13, the District provided the State Water Resources Control Board an updated plant classification form for the Southland Wastewater facility.

**Safety Program**

- No accidents or incidents to report

**Connection Report**

Nipomo Community Services District  
 Water and Sewer Connections

	END OF MONTH						
	AUG-13	SEPT-13	OCT-13	Nov-13	Dec-13	JAN-14	FEB-14
Water Connections (Total)	4290	4290	4293	4310	4312	4313	4313
Sewer Connections (Total)	3084	3084	3086	3102	3104	3104	3104
Meters turned off (Non-payment)	28	30	23	20	37	11	19
Meters off (Vacant)	48	45	45	44	32	44	46
Sewer Connections off (Vacant)	18	14	14	11	11	12	14
New Water Connections	1	0	3	17	2	1	0
New Sewer Connection	1	0	2	16	2	0	0
	0	0	0	0	0	0	
Sewer Connections billed to the County	462	462	463	463	463	463	463

**Public Outreach**

The following Public Outreach Program materials are provided:

- A summary of outreach and education activities
- Recent press releases and press release log
- District related news articles

**Other Items and News of Interest (Attachments to this Report)**

- San Luis Obispo County Complete Communities Survey is completed. Copies available at County website.
- Information Sheet on draft regulations being considered by Central Valley Water Board for discharges of potable water to the environment.

**Meetings**

*Meetings Attended (telephonically or in person):*

- March 10, Developer Bill Kengel*
- March 11, County Board of Supervisors*
- March 12, Regular Board Meeting*
- March 12, Regional Recycled Water Strategic Plan*
- March 13, Website Consultant*
- March 13, Special Counsel on contracts*
- March 13 & 20, Management Coordination*
- March 14, Operations/Administration Coordination*

- *March 14, Outreach Consultant*
- *March 14, Operations/Administration Coordination*
- *March 14, Rate Consultant*
- *March 14, Board Officers*
- *March 14, Tour of Southland Construction w/ Board Officers*
- *March 20, Groundwater Consultant and General Counsel*
- *March 20, NMMA Technical Group*

*Meetings Scheduled:*

- *March 26, Regular Board Meeting*
- *March 27, Management Coordination*
- *March 28, Southland Tour with Directors Gaddis and Blair*
- *March 31, Board Officers Coordination*
- *April 2, Energy Program Presentation*
- *April 2, SLO CO Water Resources Advisory Committee*

**RECOMMENDATION**

Staff seeks direction and input from your Honorable Board

**ATTACHMENTS**

- A. March 13, 2014, District Comment Letter
- B. NCSD Outreach Program Summary Materials
- C. March 18, 2014 County Announcement on Communities Survey
- D. Information Sheet on Proposed Permit

MARCH 26, 2014

ITEM F

ATTACHMENT A

# NIPOMO COMMUNITY

## BOARD MEMBERS

CRAIG ARMSTRONG, PRESIDENT  
JAMES HARRISON, VICE PRESIDENT  
LARRY VIERHEILIG, DIRECTOR  
DAN GADDIS, DIRECTOR  
BOB BLAIR, DIRECTOR



# SERVICES DISTRICT

## STAFF

MICHAEL S. LEBRUN, GENERAL MANAGER  
LISA BOGNUDA, FINANCE DIRECTOR  
PETER SEVCIK, P.E., DIRECTOR OF ENG. & OPS.  
MICHAEL W. SEITZ, GENERAL COUNSEL

*Serving the Community Since 1965*

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148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326  
(805) 929-1133 FAX (805) 929-1932 Website address: [ncsd.ca.gov](http://ncsd.ca.gov)

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March 13, 2014

Brian Pedrotti, AICP  
San Luis Obispo County  
Department of Planning & Building  
976 Osos Street  
Room 200  
San Luis Obispo, CA 93408

Dear Mr. Pedrotti,

**SUBJECT: SAN LUIS OBISPO COUNTY RESOURCE MANAGEMENT SYSTEM PROPOSED  
REVISION: 12/20/2013 PUBLIC REVIEW DRAFT**

On January 22, 2014 and March 12, 2014, the Nipomo Community Services District Board of Directors reviewed the proposed revisions to the County's Resources Management System. The District appreciates the opportunity to review and comment on the Management System changes prior to consideration by the Planning Commission and Board of Supervisors.

We offer the following comments and suggestions.

### General Comments:

1. With a goal of increasing timeliness and effectiveness of response action, consider more active voice with explicit direction throughout the document.
2. Use the affirmative whenever possible e.g. "shall" versus "may", especially when addressing staff level actions.
3. Under the current resource management system structure, natural resources, especially water resources, across the county have become more imperiled. This system must be strengthened by requiring definitive actions with specified and measurable outcomes. Meaningful action with verified results (resource projects funded and under construction) must be had prior to allowing new demand on our limited and threatened natural resources.

### Specific Comments:

1. Add "Mitigation of existing resource shortages", to the list of goals and objectives.
2. Under the Resource Capacity Advisory Process: 'Local' water supply and resources issues are directly attributable to development. In most areas of the county there are a number of urban water service providers meeting the demands of County approved development. In most unincorporated areas, only the County possesses the authority to

implement consistent policy conditioning new development approval on adequate water resources. This section should reflect the integral role that development approval plays in the ongoing depletion of resources.

3. Revise the paragraph following "*General Recommended Actions for Levels of Severity*" as follows:

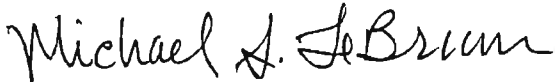
*"When the Board of Supervisors finds that a level of severity exists, it considers and institute any or all of the following actions (or equally effective actions). These general actions..."*

4. Revise recommended action statements to specify *effectiveness* as being the goal of "appropriate measures".
5. There are numerous examples in the County where communities have expended millions of dollars pursuing new water resources in the past ten years with limited or no success. For this reason, the time criteria in Table F: should be extended to account for the time it takes to develop new water resources. Consider using 25-years for LOS I, 20-years for LOS II, and 14-years for LOS III.

In summary, the District supports the County's effort to create a more effective Resource Management System. We will continue to follow and support this effort. If you have any questions, please don't hesitate to call.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT



Michael S. LeBrun  
General Manager

ec:

Fourth District Supervisor Caren Ray  
James A. Bergman, Director SLO County Planning & Building Department  
Sue Luft, County Water Resources Chairperson  
Courtney Howard, County Water Resources Secretary

MARCH 26, 2014

ITEM F

ATTACHMENT B

**NCSO Outreach Summary  
March 2014**

<b>Date Started</b>	<b>Outreach</b>	<b>Description</b>	<b>Status</b>	<b>Date Completed</b>
3/3/2014	Press Release	January Water Demand up Significantly over 2013	Complete	3/4/2014
3/4/2014	Conservation Education	Observation of class presentation at Dana School	Complete	3/4/2014
2/24/2014	Website Updates	Newsletter 5; press release	Complete; Ongoing	3/5/2014
2/28/2014	Ad	Drought conservation 1/4 page ad in Adobe, pub date 3/7	Complete	3/5/2014
3/5/2014	Bulletin Board	Installation of new bulletin board in Board Room for better presentation of public info items	Complete	3/5/2014
11/25/2013	Report	Design/Update of SWP Narrative Report	In Progress	
8/19/2013	Brochure	Update of "Reading Water Meters" brochure	3rd Draft In Progress	
1/27/2014	Postcard	Conservation postcard to high users regarding drought conditions and conserving	First Draft In Review	
2/2/2014	Website Upgrade	"Production Phase" with website consultant	In Progress	
2/28/2014	Brochure	Creation of "Detecting Leaks" insert for "Water Meter" brochure	In Progress	
3/10/2014	District Newsletter	Distribution of newsletters in community	Complete	3/10/2014
3/11/2014	Bulletin Board	Update of lobby and Board room bulletin boards	Complete; Ongoing	3/11/2014
3/13/2014	Website Upgrade	Upgraded website review with consultant	Complete	3/13/2014
3/14/2014	Drought Communications	Kick-off meeting with Rauch Communications	Complete	3/14/2014
3/14/2014	Drought Communications	Document on current outreach efforts to Rauch; assisted with content gathering for public newsletter	Complete	3/19/2014
3/17/2014	Website Upgrade	Content review and updates	In Progress	
3/20/2014	Manager's Column	Article 13 for Manager's Column in Adobe Press, pub date 3/28	In Progress	





## **NCSO groundwater pumping jumps 60% in Jan.**

*By Mike Hodgson/mhodgson@theadobepress.com*

The amount of water Nipomo Community Services District pumped from the aquifer in January jumped 60 percent compared to January 2013.

A report to the board of directors last week from Peter Sevcik, director of engineering and operations, showed NCSO pumped 195 acre-feet in January to meet customers' demand for water.

That's an average of 6.3 acre-feet per day.

In January 2013, the district pumped 124 acre-feet — an average of 4 acre-feet per day — to meet the demand for water.

This year's January total also exceeded the five-year average of 142 acre-feet, or 4.6 acre-feet per day, by nearly 40 percent, Sevcik said.

An acre-foot is about 326,000 gallons, or the amount generally considered necessary to supply four to 10 people a year.

The figures brought the drought's impact into sharp focus, as Sevcik attributed the increase to customers irrigating more at a time of year when it isn't usually required.

"February is normally our lowest month, and January is right behind it," Sevcik said. "This was very unusual."

NCSO General Manager Michael LeBrun said the increase is evidence of the "double whammy" drought deals to groundwater supplies

"Groundwater levels drop due to a lack of rainfall, while demand for water increases as homeowners, parks and farmers across the Mesa require more water to keep their landscapes and crops growing," he said.

Equally disturbing, perhaps, is that the figures are only for NCSO.

They don't include the Woodlands Mutual Water Co., Rural Water Co., Golden State Water Co. and all the private wells that are pumping water for domestic use and irrigating lawns,

landscaping and crops.

"We're a fraction of the pumping on the Mesa," Sevcik said.

LeBrun said he believes the pumping has increased by a similar level for all water purveyors and private users.

"I think if you ask any farmer, they'll tell you they're pumping a lot more water to irrigate their crops," he said.

Not all the numbers are in for 2013 yet.

The Nipomo Mesa Management Area Technical Group, which by court order monitors the health of the groundwater basin, is still working on its estimate for pumping by rural landowners and agricultural operations.

That report is due in April.

But the numbers for 2012 show NCSD pumped a total of 2,472 acre-feet, Golden State pumped 1,102 acre-feet, Woodlands pumped 857 acre-feet and Rural Water pumped 763 acre-feet.

That accounted for about 39 percent of the groundwater pumped across the entire Mesa.

The Phillips 66 Santa Maria Refinery at the edge of the dunes pumped another 1,100 acre-feet that year.

Using a formula that plugs in the acreage of crops and climate data — rainfall totals and the number of warm windy days — the NMMA estimated rural land owners pumped 2,052 acre-feet and agricultural operations pumped 2,912 acre-feet in 2012.

“I think agriculture for 2013 will get close to doubling (that amount),” LeBrun said.

NCSD and other Nipomo Mesa water users all pump from the same aquifer — the Santa Maria Valley Groundwater Basin that stretches from southeast of Santa Maria all the way to Pismo Beach.

But LeBrun said increased pumping on the Nipomo Mesa isn’t likely to have an impact on the basin in the Santa Maria area.

“There might be a minimal impact in the subsurface flow to the Northern Cities (Management Area),” he said. “But it would not impact the Santa Maria Valley. The largest percentage of the basin is in the valley, something like 90 percent.

“The groundwater levels in the valley show a healthy east-west flow gradient year-round,” he added.

He said the situation is different on the Nipomo Mesa, where a number of pumping depressions — pockets of lower groundwater levels — have been measured.

“The Mesa has all these holes, water flowing into the holes from all directions and all this weirdness because we overpump up here,” LeBrun said.

The sobering numbers prompted the NCSD board to direct the staff to step up efforts to encourage conservation and develop drought-based water rates.

Directors also agreed the district must come up with a plan to handle requests for new water service if the drought continues and water supplies continue to shrink.

Posted Friday March 7, 2014

# SanLuisObispo.com

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## Viewpoint

# CCSD salaries out of line with comparable districts

By Dennis Ortenburger

March 13, 2014

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The current Cambria Community Services District Board of Directors continue to exhibit financial irresponsibility of the highest order.

According to the Feb. 27 Cambrian, our water rates will likely be increased soon.

The reason for this is not quite as the CCSD would have us believe. All of us are well aware of the salary and benefits (\$450/month car allowance!) to the tune of \$217,508 paid to our general manager — a lot of money and very near the top salary paid to any other civil servant in the County of San Luis Obispo, all for a community of only 6,000 inhabitants.

To put this into perspective, the Los Osos CSD pays their general manager \$119,774 and their population is 14,276. Nipomo's (population 12,714) CSD pays \$138,182 and Templeton (population 7,674) pays \$135,000.

The salary scale for the rest of the CCSD staff is similarly bloated. They refused to give salary information to this writer while other CSDs had no problem giving me what they considered public information so all of their numbers below are current. Every services district in California is required to report salaries to the State. Their web site, <http://publicpay.ca.gov> lists Cambria in 2011. Apparently, they saw reason not to comply with State requirements since then but it would be safe to assume their numbers are even higher today than 2011.

Our CSD's finance manager made \$111,375 while Nipomo pays \$98,772. Templeton gets \$76,024 and Oceano pays their person \$63,889. The CCSD's water supervisor was paid \$90,508. Los Osos pays \$80,927. Nipomo \$63,442, Templeton \$90,147. Our district clerk made \$87,056 while Los Osos gets \$63,879. Nipomo pays \$49,603. The waste water operator in Cambria made \$77,228 while Nipomo pays \$36,817. The waste operator II made \$75,096 while Nipomo gets \$44,439.

In the examples above the CSDs not listed don't have equivalent positions to compare salaries, but our CSD lists at least five handsomely paid jobs not found in any other community services district.

Across the board the CCSD is, shall we say, fat?

Which begs the question. Who was responsible for checking the water tank that suffered water loss on two separate occasions that cost Cambria's ratepayers 433,000 gallons? Who was overseeing the guy who was supposed to notice water gushing from this tank?

But further on the subject of financial irresponsibility. The Cambrian on March 6 reported that the CCSD has hired a public relations person to essentially put a favorable spin on the board's ineptitude. He is to be paid \$100 an hour to a maximum of \$10,000! Any one betting this amount is spent in no time with a request for more? If this action by the board wasn't so outrageous it might have been hilarious.

And last, but certainly not least is the CCSD's decision to pay \$44,000 for a "rate study." Another useless study, unbelievable.

It should be obvious to all that the Board of Directors of the Cambria Community Services District controls plenty of money already — enough it seems to throw it away.

*Dennis Ortenburger is a resident of Cambria.*

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## Getting the facts on water

MARCH 14, 2014 12:00 AM

The drought we find ourselves wallowing in will have lasting, indelible consequences.

These are not the "unintended consequences" we hear so much about with regard to political policy decisions. These are things a drought brings about that most people really haven't given much thought to.

Here's one example from our own landscape — the many variety of trees that help make the Central Coast as beautiful as it is will be stressed to the point that insects and other pests, that perhaps wouldn't stand much of a chance against a valley oak, could instead have their way with the weakened trees.

Think about the drive from, say, Buellton to Lompoc to Santa Maria on back-country roads. What would that look like without those valley oaks and other indigenous plant species?

Trees, like people, age, and with age acquire certain frailties. Those weaknesses are exacerbated by a lack of water, either from Mother Nature or man-made sources, thus making the trees vulnerable to pests and plant diseases.

Central Coast pine tree stands are already under attack by beetles. Pines weakened by the drought will only accelerate the destructive process.

If the drought continues, as weather experts predict, how will decisions be made at our parks and other public places concerning trees and other plants that require more water than nature will provide? We have the water, for the moment, but with a prolonged drought, tough decisions will have to be made about what gets water, and what doesn't.

We bring this up because one of North County's prominent water suppliers, the Nipomo Community Water Services District, issued a frightening report the other day — the district pumped 60 percent more water from its aquifer this past January than was pumped in January of last year.

In fact, this January's pumping totals were 40 percent higher than the average for the past five years. This January amount was 6.3 acre-feet pumped daily, compared with a 4.6-acre-feet pump total average for the previous five years. An acre-foot represents 326,000 gallons, or roughly the amount needed to service from four to 10 people a year.

District officials say the accelerated pumping rate is due to property owners using more water for irrigation, trying to keep things green at a time of the year when we normally expect to receive the vast majority of our annual rainfall. That has not happened since 2010.

District officials also refer to the effect a drought has on groundwater supplies as a "double whammy." At a time of year when natural rainfall should be refilling our underground reservoirs,

instead, customers are pumping it out. The net effect is almost like doubling the use of water.

Perhaps even more alarming is that the NCSD represents only a part of the total picture. Several other water providers and private land owners are also tapping into the aquifer. It seems likely that when those other purveyors release their pump totals, they will be very similar to the NCSD's higher numbers.

We write about this only to underline the importance of using water wisely. You'd have to have been living in a cave in recent years not to recognize the threat posed by an extended drought. Yet, we continue to see people and businesses essentially wasting water.

We've not reached a critically dire stage yet. There's still plenty of water in the aquifer. But we need to all be aware of the potential for this drought to stretch far into the future, and consider what the consequences will be in the way we live.

MARCH 26, 2014

ITEM F

ATTACHMENT C



## Michael LeBrun

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**From:** bpedrotti@co.slo.ca.us  
**Sent:** Tuesday, March 18, 2014 1:54 PM  
**To:** fhoneycutt@co.slo.ca.us; Robert.Lewin@fire.ca.gov; vmorici@co.slo.ca.us; Michael LeBrun; director@oceanocsd.org; jbriltz; gdmarschall@co.slo.ca.us; dflynn@co.slo.ca.us; mmann@co.slo.ca.us; ekavanaugh@co.slo.ca.us; secooper@co.slo.ca.us; kbaker@lmusd.org; jbarber@tusdnet.k12.ca.us; narnall@smjusd.k12.ca.us; laurie.donnely@fire.ca.gov; Zwrights229@aol.com; michaelj.sanders9@gmail.com; bh@pacificweststeel.com; hguiton@aol.com; dan.gilmore@sanmiguelcsd.org; celia@oceanocsd.org  
**Cc:** mwulkan@co.slo.ca.us  
**Subject:** Complete Communities Survey

To all-

The Complete Communities Survey (CCS) project, which was funded as part of the Sustainable Communities Planning Grant from the California Strategic Growth Council, has been completed. This is a study that identifies infrastructure needs and strategies to fund and implement needed improvements to infrastructure and public facilities in four unincorporated communities: Nipomo, San Miguel, Oceano, and Templeton. This study is intended to help achieve community-focused development that promotes livability and walkability and uses land, water, energy and financial resources more efficiently.

The CCS includes four distinct but related documents as follows:

- Complete Communities Research Summary
- Facilities Inventory
- Funding and Financing Plan
- Executive Summary

The CCS is now available online at the following address:

[www.sloplanning.org](http://www.sloplanning.org). On the home page, click on "Complete Communities Research Survey" to take you to the page.

Alternatively, you can click on the link below:

[http://www.slocounty.ca.gov/planning/General Plan Ordinances and Elements/Plans in Process and Draft Plans/s tratgrowth/grants\\_sustainable.htm](http://www.slocounty.ca.gov/planning/General_Plan_Ordinances_and_Elements/Plans_in_Process_and_Draft_Plans/s tratgrowth/grants_sustainable.htm)

On April 1, 2014, the Planning and Building Department will present the results of the study to the Board of Supervisors. If you need more information about this project, please feel free to contact me.

Sincerely,

Brian Pedrotti, AICP  
San Luis Obispo County  
Department of Planning & Building

MARCH 26, 2014

ITEM F

ATTACHMENT D



## Central Valley Regional Water Quality Control Board

# INFORMATION SHEET AND NOTICE OF AVAILABILITY DRAFT CENTRAL VALLEY WATER BOARD NPDES PERMIT FOR DISCHARGES FROM DRINKING WATER SYSTEMS

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) requests your participation in the development of a new general National Pollutant Discharge Elimination System (NPDES) permit specifically crafted for discharges from drinking water systems. NPDES permits are required by the Clean Water Act, section 402 for point source discharges to surface waters. To facilitate discussion and comment, Board staff is providing the administrative draft permit, which was developed jointly with a small group of potable water agency representatives. Following is an overview of the draft permit. The draft permit is posted on the Central Valley Water Board's website at:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/hot\\_topics/index.shtml#npdesdrinkwaterdraft](http://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/hot_topics/index.shtml#npdesdrinkwaterdraft).

Board staff will be working with the Department of Public Health, Association of California Water Agencies (ACWA), and other stakeholders to schedule workshops to answer questions and share concerns regarding the draft permit and process for development. Updates concerning locations and scheduling of the workshops will be posted on the above website. If you would like to receive notice regarding the upcoming workshops, contact David Kirn [[dwkirm@waterboards.ca.gov](mailto:dwkirm@waterboards.ca.gov), (916) 464-4761] of the Central Valley Water Board. We request that you provide written comments regarding the draft permit to Mr. Kirn by April 15, 2014 so that they may be considered in revising the draft permit. Email is preferred, but you may also provide comments via mail to the address on this letterhead, attention to Mr. Kirn.

### Overview

Water districts or public/private water purveyors are responsible for developing water supplies and providing drinking water to their communities and customers in accordance with statutory requirements of the federal Safe Drinking Water Act and the California Health and Safety Code. Mandatory system-development and system-maintenance activities often result in surface water discharges via storm drain systems or directly to a creek, river, or lake. Clean Water Act section 402 requires that a discharge of any pollutant, or combination of pollutants, to surface waters be regulated by a National Pollutant Discharge Elimination System (NPDES) permit. The Central Valley Water Board currently regulates discharges of drinking water using a region-wide low threat NPDES permit that regulates a broad range of constituents, and not necessarily constituents of concern from these discharges.

Large and small municipalities have Municipal Separate Storm Sewer System (MS4) NPDES permits for discharge of storm water to surface waters. Some municipalities allow drinking water system discharges from surrounding water purveyors to enter their storm water system as

authorized non-storm water discharges, typically through local agreements. Other MS4 permit holders do not allow such discharges to enter their storm water system unless that discharge is separately regulated by the Central Valley Water Board prior to entering the system. Additionally, there are discharges from drinking water systems that enter surface waters directly, not via a storm water conveyance system, which are not regulated under MS4 permits.

The draft permit is the result of a coordinated effort between Central Valley Water Board staff and a stakeholder group consisting of drinking water industry professionals. The goal of this effort has been to develop a permit that is not overly burdensome and that is specifically tailored to the drinking water industry. A new general NPDES permit that is both workable for the drinking water industry and protective of our surface waters will streamline compliance efforts by the industry, reduce compliance costs, and provide needed NPDES regulatory coverage for potable water discharges. This draft permit is open for discussion. The board is seeking your input on the draft and we are willing to consider changes in response to your comments.

### **What is the threat that potable water and treated drinking water pose when discharged to surface water?**

Discharges of potable water and treated drinking water have constituents of concern for surface water quality. Mandatory groundwater well development and maintenance activities require the flushing of sand and grit from the well screens prior to delivery of potable raw water. The constituents of concern from well development and maintenance activities are suspended solids and turbidity, either in the water pumped or from erosion or debris-flushing caused by the flow. Such discharges have the potential to cause exceedances of standards established by the Central Valley Water Board to protect the beneficial uses of the receiving water.

Drinking water served to the public must comply with Title 22 of the California Code of Regulations which includes water quality standards known as Maximum Contaminant Levels (MCLs). The California Department of Public Health requires surface water that is treated for public distribution to have a chlorine residual, for prevention of re-growth of bacteria or algae while in the distribution system. Chlorine is also frequently used to maintain a residual in groundwater systems. Although chlorine at these levels is safe for humans to consume, it is extremely toxic to aquatic life; therefore, if not managed correctly, discharges of treated drinking water have the potential to cause an exceedance of toxicity thresholds for the protection of aquatic life.

Discharges from distribution piping systems (such as fire hydrant flushing or back flow preventers) flow across street surfaces into storm water catchment facilities, pushing debris and oils into the storm drain system. Additionally, unintentional and unplanned discharges from pipe breaks that flow into surface water may cause erosion within their flow path and push sediment into the receiving water.

### **How are discharges from drinking water systems currently regulated?**

Entities that discharge water from drinking water systems are currently permitted under the Central Valley Water Board's Low Threat General Permit (NPDES No. CAG995001) or Limited Threat General Permit (NPDES No. CAG995002). Also in some areas the discharges are indirectly regulated under an MS4 permit. Regardless, the current regulatory approach is not

well suited to the low threat nature and disposition of potable water discharges. For example, the low and limited threat permits require receiving water monitoring in most cases. We have found that such monitoring is not always necessary or feasible for potable water discharges.

**Is this the same as the effort underway for the statewide general permit for potable water purveyors?**

No. The Central Valley Water Board initiated this process ahead of the statewide effort. This is because the current Central Valley Water Board low and limited threat permits available for regulating discharges from potable water systems are not working well, requiring unnecessary monitoring and oversight for such discharges. This contributes to higher costs and potential fines for non-compliance. Central Valley Water Board staff is engaged in the development of the statewide permit. If a statewide permit becomes available, the Central Valley Water Board's permit would be rescinded, in which case purveyors would need to enroll under the statewide permit.

**Why would a water district/purveyor want to have its own NPDES Permit?**

We know that discharges from drinking water systems have a potential to cause an exceedance of water quality standards and may pose a threat to beneficial uses of surface water. Obtaining an NPDES permit assures water districts/purveyors that they will not be exposed to regulatory enforcement for discharging without a permit. (A Regional Water Board has the discretion to take enforcement for discharging without a permit.) Additionally, having a discharge that is regulated by, and complies with, a Water Board NPDES permit will protect the discharger from third party lawsuits aimed at violation of the Clean Water Act, section 402.

Discharges from drinking water systems, including discharges from water distribution systems and distribution system pipe breaks, are of a consistent nature throughout the state – water that meets Department of Public Health Title 22 standards. Having a common NPDES permit to specifically regulate these discharges would provide a consistent permitting mechanism for protection of surface water environments from these discharges.

**Highlights of the proposed new permit**

Covered discharges: The proposed permit addresses both planned and unplanned (e.g., pipe breaks) discharges of potable and raw water that are essential to operating drinking water systems. Examples of included potable water discharges are those from water treatment plants, storage tanks/reservoirs, distribution systems, hydrants, and valves. Examples of raw water discharges include un-chlorinated pump-to-waste and groundwater well flushing, well rehabilitation, and well development.

Best management practices: The proposed permit requires implementation of Best Management Practices (BMPs) for all discharges in order to protect surface water beneficial uses. The permit includes a standard set of BMPs that the drinking water purveyor may implement (or equivalent BMPs) or the purveyor may choose to develop a BMP plan with alternative practices; as long as such practices achieve the requirements of the permit. Example BMPs include de-chlorination practices, such as de-chlorination diffusers and mats.

Discharge limitations: The proposed permit includes a discharge limitation for chlorine of 0.019 mg/L, as a 1-hour average, with a minimum level for compliance determination of <0.1 mg/L (a concentration that is readily measured with common field instruments). The limit is only applicable for direct discharges to surface waters and does not apply for discharges to a storm sewer (as an example). Central Valley Water Board staff is currently reviewing available drinking water purveyor discharge chlorine data and other information. If further review shows that a discharge limitation for chlorine is not needed, then the limit will be removed.

Monitoring and reporting: Not all discharges require monitoring and reporting. The monitoring requirements that are included in the proposed permit are representative of the volume and nature of discharges from water districts or public/private water purveyors. Discharge monitoring for chlorine is triggered for discharges greater than 50,000 gallons that are within 300 feet of a surface water body (provided the discharge will reach the surface water). Maximum frequency for each discharge location is also set at one time per year. Therefore, if a specific groundwater well is flushed in February and is sampled, additional samples from that same location would not be required if another discharge occurred in March of the same year.

### Get Involved

The Central Valley Water Board is inviting all interested parties to participate in this process. Details regarding the draft permit and upcoming meetings will be made available on the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/public\\_notices/](http://www.waterboards.ca.gov/centralvalley/public_notices/). You may also contact the following for more information:

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